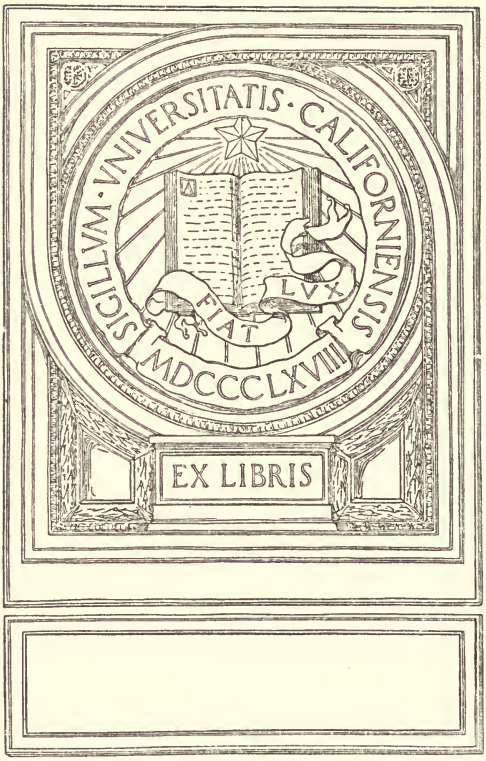
Memoirs of a Senate Page

BY

CHRISTIAN F. ECKLOFF

EDITED BY

PERCIVAL G. MELBOURNE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MEMOIRS OF A SENATE PAGE

(1855-1859)

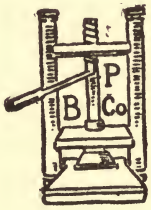
BY

CHRISTIAN F. ECKLOFF

Edited by

PERCIVAL G. MELBOURNE

Author of "Child's History of the War with Spain"



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Memoirs of a Senate Page

I.

INTRODUCTORY.

The Senate chamber during the period of which this volume treats was the theatre of perhaps the most memorable scenes in the history of the upper house of Congress; and the men who swayed the public mind of the North and of the South, by means of mighty words and undaunted acts, furnishing thereby the great prelude to a great war, were men of whom whatsoever is related should meet with wide popular interest. In those years the contest over slavery became more and more embittered, the Republican party began taking root in the political field, and a gulf grew wide between the opposite-minded throughout that grave and stolid house.

As I look down the vista of years, in fancy I see again what struck the plastic mind of youth: many men of giant intellect and singular gifts, grandly outlined on that famous floor; and as the spectacular scenes glide by, I entertain in no less degree the infatuation I felt when as a boy, I heard, day by day, the eloquence of English flowing in unstemmed torrents, and beheld the speakers in all the loftiness of poise and command. Secretly, and boylike enough, I had my favorites who arose armed to the teeth and broke

lances in every debate. What schoolboy is not familiar with a score of those illustrious names?

Quite naturally, in view of what I have already confessed, I afterwards watched and studied the lives, not only of such as were my idols, but of all the senators I had known. Hence, in any lines from this pen touching that time and the actors in it, the substance is the better of course, for the reason that my memory has been kept fresh and my knowledge extended by continual inquiry into the records.

Whosoever appreciates the genius that can shape men's thoughts, and guide the wills of free people into certain and particular paths; whosoever appreciates the talent that can lay tributary to a vexed and difficult problem, an abundance of apt illustrations, wit, satire, and classic figures; whosoever appreciates language incisive as the rapier, and again blunt and unqualified as man's dogged determination, let him follow me through the posterns of half a century, and let the scene be the Senate of the United States.

II.

THE SCENE.

It was a singularly fascinating experience to be present when the Senate convened after the long recess of Congress. The old chamber, desolated for several months of the year, now opens to new pages of history, and teems with life. Entering from all directions, some of them arm in arm, in couples and in small groups, senatorial lights arrive; representative men from all parts of the Union, men of so many types, of so many conditions of a country's strength and greatness; coming with the right either of achievement in the world's race, or with approved heritage to fame; and here renewing friendships, there recognizing antagonists, they range themselves for the mighty conflicts that may come, in which firm principle is behind the spoken word as the law of nature is behind the booming thunder.

In those days, the scene was picturesque: witness for example on the one hand the figure of General Houston, that great plainsman, wearing a broad sombrero and a vest of leopard skin; and on the other hand, the classic Charles Sumner, of Boston, exponent of the culture and learning of the gilded metropolis. Or, again, fancy a man

like Judge Wade, who had fought his way to the fore through adversity in every guise, and then the southern aristocrat, Jefferson Davis, or John C. Breckinridge. Indeed, many strange contrasts were noticeable, and with all those men grouped as the living expressions of a wide country's thought and wish, the place of their assembling was made a glorious ground.

Sixty-two senators, representing thirty-one States, composed the whole. Mingling with the statesmen were many persons having the privilege of the floor. John C. Rives, publisher of the *Congressional Globe,* was prominent; and another equally so, was Col. W. W. Seaton, one of the editors of the *National Intelligencer,* then the leading newspaper of Washington. A majestic-looking old soldier, who was known by everyone, moved about in the crowd, and his visits were frequent through the sessions. This was General Winfield Scott, the grand old warrior.

As I reflect upon the scene, I find myself back again, feeling like the rest of the pages, viz.: second in importance only to the senators themselves.

The hall where cluster so many hallowed memories of patriotic hearts, and in which the Senate was in those days located, is now used for the Supreme Court, and that court was then directly underneath in the basement. There was an alluring atmosphere about the place that has perforce vanished with past days, personal recollections of which must ever fill the heart with deep emotion, for so complete and so tragic were the changes of the succeeding years. On that famed

floor were many brave spirits that were soon to be marshalled on other ground in the vain hope of disrupting the nation whose pride they were. The call of duty wrought sadly among friends of long standing. And not only that—but we shall not linger here.

A feature of the old chamber which lent the appearance of comfort and homeliness were the open fires. There were four grates beneath mantel shelves in the corridor back of the Vice-President's desk, and two Franklin stoves with open way, near the main entrance. For fuel we used hickory wood which was brought up and piled on the andirons as it was needed. In front of those crackling fires, standing with their backs to the blaze and their coat-tails spread, many renowned statesmen have whiled away spare moments spinning yarns, exchanging confidences, and poking fun at one another. During these intervals of relaxation, the talk was brimming with keenest wit, and if by chance certain gay hearts were there, a little froth of overmastering fun would rise a-top of it all. This by-play was wholly missed by the public; the walls alone could tell what was said if walls would speak.

One winter I recall—the winter of 1855-56, if I am not mistaken—was extremely severe, with frequent snows and the mercury trying hard to get out at the bottom of the tube. Woolen shawls were then the fashionable garment for both men and boys, and they were heavy and warm; of somber hues, principally grey and brown, with a little variety in Scotch plaids. It was a common sight to behold the revered dig-

nity of the Senate wrapped head and all in these big shawls, and comfortably retaining them in the chamber on very cold days. Many of the older men in their efforts to keep warm made frequent pilgrimages to the open grates, and were far more interested in the state of the fires than in any State of the Union.

It is amusing to me when I think of those shawls and the grotesque appearance they gave to the wearers; but overcoats were very rarely seen in those times. I remember seeing individuals, great travelers probably, who wore the Talma, the cloak of the French actor.

Distinctly, the Senate was a black broadcloth assemblage, the cut of the coat being a long frock. Silk hats prevailed among men of the North, and were popular with senators generally, although some southerners and westerners preferred the soft black or Kossuth hat.

Those were the kindly days of quill pens and snuff. The last links of bygone days were slow to be relinquished by the gentlemen of the old school. Steel pens were in use, but many senators clung to the quills and were very exacting in their wishes. No other sort of pen would answer. They did all their own writing, as they had no secretaries then. There was a token of gracious dignity in this personal attention to correspondence. The old custom of using sand for blotting was also in practice Upon each desk there was a small box of sand for the purpose; the sand being sprinkled over the written sheet which instantly dried the ink and was then brushed back into the receptacle.

There were two snuff boxes on the Vice-President's desk, one on each side. In addition to these, some of the pages carried snuff especially for senatorial emergency. I believe four boxes could be counted on in this direction in an extremity of need. A number of senators were very fond of snuff. Seward, Foot, Collamer, Cass, Evans, and Butler were so much addicted to its use, they could not speak well without it.

Singular as it may seem, there was no telegraph office in the Capitol; the nearest offices being the Morse line and the House line of printing telegraph, both under the National Hotel, corner of Pennsylvania avenue and Sixth street. Senator Benjamin, for one, had acquired the habit of telegraphing to such an extent that hardly a day passed without his sending one of the pages to the telegraph office with a dispatch. It always meant some small change for the boy that carried one for him.

Such luxuries as a bath-room or barber shop were unknown in the building. Potomac water, which later supplied the city, was not yet introduced. Congress was served for drinking purposes with spring water which was conducted by a pipe line from a farm beyond the northern limits of the city. For all other purposes, rain water was collected from the roof of the building.

One day in late years, I wandered back to the old haunts in search of a once familiar place, but it was no more. I refer to the "Hole-in-the-Wall." In the rear of the Senate post-office, near the rotunda, was formerly situated this far-

famed restaurant, which, properly speaking, was the Senate Club. No outsider dared to venture there unless he was accompanied by a member. It was a small room where a colored cook named Carter presided. Upon second thoughts this "Hole-in-the-Wall" should have been called the Democratic Club, because the Senate was controlled by that party, and in this historic little room, Democratic senators sat at meat discussing their questions with perfect freedom. The Republicans were very scarce, as that party was in its infancy, and it was seldom that any of them interrupted the meetings. Sometimes after an exciting debate on the floor, the participants would come arm in arm merrily trudging along the golden way that led from the chamber to the cook shop. An amazing change after the high words spoken so short a time before. Strangers seeing these platoons of statesmen making for the post-office in such glee, might have wondered if they were hopeful of very good news awaiting them in the mail; but if they could have glanced behind the scenes and have smelled the savory odors issuing from platter and bowl, they might have said, "No wonder."

Now the public was refreshed at less expense, with less ado, and less of everything, and at a shorter distance from the Senate chamber. As you went down to the basement, just at the foot of the staircase, there was a stand with such wares for sale as cakes, pies, and beer. It was the only place where a lunch could be had without going outside of the Capitol. Fastidious persons, however, went either to Whitney's Ho-

tel, which was on the north side of the grounds, or to Caspari's on the south side.

At the time I became a page, Jesse D. Bright was President *pro tem* of the Senate. Mr. King, the Vice-President, who was elected on the ticket with Pierce in 1853, had died. Others I have seen in the Vice-President's chair acting as President *pro tem* during the 34th and 35th Congresses were, besides Mr. Bright, "Governor" Firzpatrick, of Alabama, Foot, of Vermont, Wade, of Ohio, and Lafayette S. Foster, of Connecticut. It was usual to change the chair after the business of the morning hour, if not because of the absence of the Vice-President, then merely in compliment to some leader.

The principal officials connected with the Senate were Hon. Asbury Dickens, of North Carolina, secretary; James M. Jamison, of Virginia, postmaster; Richard Sutton, official reporter; and Col. Deming R. McNair, of Kentucky, sergeant-at-arms.

III.

PAGE LIFE.

It was usual to retain a page, providing his work was up to the mark, until he became seventeen years of age. The boys with few exceptions were the sons of widows, and the pay $2.40 a day, including Sundays, during the session, which with extras amounted to over $75 a month, was a neat competence for a small family of modest pretensions. The extra money was usually earned by getting up albums of the senators' autographs, and subscription lists for the published speeches. When an important speech was delivered, customarily one of the large printing offices would have it for publication. Democratic speeches were printed at the *Globe* office; and Republican speeches by Buell & Blanchard, whose office was where the old Tremont House stands, corner of Indiana avenue and Second street. We were paid thirty cents per 1000 on an eight page speech, and fifty cents on a sixteen page speech. When Douglas, Seward, Sumner, or some other magic name headed the list as the author of the speech, with a subscription of 50,000 copies, it was easy to make as high as thirty dollars on one list. The sergeant-at-arms, who had charge of the pages, required us to form an

organization, the presiding officer of which would assign either albums or lists to the several pages. There were about twelve of us. The proceeds we deposited with the treasurer, who held all funds until the end of each month, at which time it was equally divided among us.

The president of our organization was Arthur P. Gorman. He, as a boy, exhibited those sterling qualities which developed the man and the distinquished senator. His temperament was very even and kindly, always considerate of the feelings of others; a youth of very few words, except on rare occasions. He was prompt and truthful, ever attentive to what was intrusted to him, and a favorite with all. Some years after he became a senator, I met him on a number of occasions and found him of the same pleasant and cordial disposition. Another page pretty much of Gorman's stripe, was Charles Clement Ivey, known as the page to the Vice-President. Such an attachment existed between himself and Mr. Breckinridge, that on the outbreak of the Civil War he followed his friend South, and when the former Vice-President became a brigadier general in the southern army "Clem" Ivey was appointed an aide on his staff. Among the other pages I am pleased to recall John P. D. Caton, now of the Government Printing Office; Leonard A. Frailey, pay-director of the Navy; Thomas A. Lynch, a naval engineer; and James Y. Potts, chief clerk of the Police Court, of Washington, D. C. The sons of senators, for the sake of the pleasure they derived from the experience, often acted as pages, gratuitously. Sena-

tor Douglas' sons, Robert and Stephen, Jr., and Senator Bright's son Jesse, at different times were volunteers.

Page life was in those days, and it must be now, the school of manners and manliness. No boy could have spent that much time at the impressionable age, in such close contact with those high-minded men without taking on to a greater or less extent the attributes of courteous, manly character. We were drilled also in the exercise of care and promptness in the performance of our duties. If a page was called upon to go on an errand, and failed to pay strict attention to what he was told, he would never be called upon by that same senator a second time. So it devolved upon us to lend our ears, eyes, and our whole being to the instructions given.

So utterly opposed was the Senate to the intrusion of outside influences that the clamorousness of a creaking shoe was profoundly prohibited, on which account all pages were required to were slippers while in the chamber. I hardly think the boys had noisy shoes, but we were on the march so continually, that to prevent the possibility of a tumult arising from these quarters, we had to wear the pumps. I understand the regulation is in force to this day.

As before stated there were no secretaries to senators at that time; so after adjournment each day members had their correspondence to detain them. It was required of the pages to stay until every senator had left the chamber. All letters for the mail were handed to us to be sealed. The table where the sealing was done was situated in

the lobby, and a candlestick and sealing wax were always at hand. This was a busy bureau in the late afternoons, and as boys will be boys, they made as much fun out of it as was permissable with quiet behavior, some of them, however, going so far in the spirit of daredeviltry that they would flourish the burning stick of wax and let fall the seals where they pleased, sometimes, as it would happen, on several letters in the most uncommon spots, in which event the disgrace was hastily dropped in the post-office. Then all the boys' lips would have to be sealed, that is, metaphorically speaking. Occasionally, one of the letters bearing an overplus of seals, would crop up unexpectedly, and then woe to the boy who had committed the offence.

A time comes to every boy when he feels it is the golden moment of his life. It came to me in this way. Senator Bigler, of Pennsylvania, called me one day, and pleasantly said: "My son, here is an important letter which I wish you to place in the hands of President Buchanan. Now be careful not to make any mistake in its delivery to him in person." I informed the sergeant-at-arms of the import of my errand, and leaving the Capitol, proceeded on my way to the White House, in an omnibus. The great weight of responsibility which rested upon me, seemed to make it harder for the horses to pull, and I sat there meditating upon the whole matter when suddenly at a point nearly opposite Willard's, I observed the President walking on the pavement in front of the hotel. I was out of the omnibus in a hurry, and approaching His Excellency with

my hat in hand, said: "Mr. Buchanan, I have been directed by Senator Bigler to give you this letter in person." The President smiled, thanked me, and opened it. I stood there with my hat in hand, scarcely daring to breathe in the august presence, until I saw his eyes turned on me and heard him say "No answer;" and overcome with excitement took the next 'bus back to the Capitol.

IV.

THE CITY FROM THE CAPITOL DOME.

Fifty years ago, looking down upon the "magnificent distances" from the dome, the seat of our national government presented very little of attractiveness. There was Pennsylvania avenue, a dirt road, whose surface was undulating, causing vehicles to toss upon its bosom like ships at sea. At Second treet it crossed Tiber Creek on a wooden bridge. There were no street cars, the public being conveyed in omnibuses which ran on this thoroughfare from the Capitol to old High street, Georgetown. Senators who did not possess private carriages, yet wishing to ride, were thrown upon the alternatives of an omnibus or a hired hack. Hacks were always to be found standing in front of the hotels. The Jehu of that period was the anthropoidal form of a species that evolved into the highwayman of recent years.

On the west embankment of the Tiber, adjacent to the "Avenue," stood the serene old B. & O. railroad station, where the "lightning express" ever and anon rumbled in with its human freight from overland afar; and travelers coming with perfect impunity and carpet bags, for an invasion of the Capital city and the halls of

Congress, eddied along the great thoroughfare, all agog to pass through thick and thin to find out just what Congress did and how it fared at Washington; and often with the other object also, of seeking office in the departmental service. The small hotels and boarding houses along the south side of the avenue accommodated these transients as a rule; and most of their time while sojourning here was divided between the Capitol and the hotels where senators lived, standing around waiting for the chance of a private interview. The hotels principally patronized by senators were all located on "the avenue," they were Willard's, Brown's, the Kirkwood House, the National, and the St. Charles.

The view up the Mall began with the Botanical gardens, a spot that seemed to have been plucked out of the heart of a tropical land and planted in our midst. Always a favorite resort for members of Congress, it was with pride that they conducted their visiting friends through its pleasant precincts. Beyond stood the Smithsonian Institution, whose architectural grace and beauty has surely never been surpassed in any public edifice. The next object, and the last to arrest our attention on the line of the Mall, was the uncompleted Washington Monument, a mere block standing 144 feet in air, and waiting there for Congress to do something.

Far toward the western horizon, Georgetown loomed up with a haze hanging over its housetops, the unmistakable sign of industry. On its waterside, the spars of tall ships were visible; for it was a port of some consequence in the trad-

ing world, and many vessels from the West Indies, with cargoes of sugar, molasses, fruits, and tobacco, dropped anchor here. On the high banks of the river above the town rose the graceful spires of Georgetown College, at that time as well as now, an institution of repute.

In a course running nearly east and west, and just south of "the avenue" the murky waters of the Chesapeake and Ohio canal washed down and emptied into the Tiber. Bordering this waterway were lumber and wood yards; and during the summer time, scows and pungies brought down watermelons, unshipping them at points along by the market. Darkies had good old times on the edge of this canal, their dusky presence completing the picture of the Southland.

To the northwest of the Capitol, within a radius of not more than six or seven squares, was a section of the city where senatorial residence was chiefly desired. Many of those well-constructed houses stand to-day to mark the social center of this period. On I street, immediately west of New Jersey avenue, three noble-looking houses with broad fronts and generously wide doors and windows, were built by the three friends—Senators Douglas, Rice and Breckinridge. Douglas resided in the end house on the west, whose lovely old garden with stately trees, speaks in these days with the language of its deep foliage, and tells of the gracious women and courtly men who strolled out on the velvet lawn and yielding to the appeal of lovely evenings engaged themselves in happy converse until late hours. (This house in after years became

the residence of the Apostolic Delegate, and the one owned by Breckinridge became the home of General Grant, subsequently of General Sherman, and latterly of Mayor Emery.) Two other houses renowned for lavish hospitality were the homes of Ex-Mayor Seaton, on E street, and that of Ex-Mayor Gales, on the heights north of the city. Numbering among their guests were many persons of high standing in official life and in letters.

To the east of the Capitol, and directly facing it, stood a row of fashionable boarding houses, where quite a colony of Congressional people were lodged. At the corner of First and A street, northwest, was situated the "old Capitol," a building which, when the British burned the former Capitol in 1814, was fitted up for the temporary use of Congress. Surveying the panorama lastly from the dome, one spot on the eastern outskirts of the city, draws our attention. It is the Congressional Cemetery with its remarkable headstones, so closely allied to our subject by reason of its having received

"Each in his narrow cell forever laid"

many whose voices once rang in legislative halls, and are now stilled to eternity.

V.

SENATORIAL DIGNITY—A GROUP OF LEADING LIGHTS—MALLORY'S FAITH.

With the possible exception of the United States Supreme Court, the most dignified body in our land was, and is now, the Senate at Washington. There is no other place where a body of legislators uphold so high a standard in this regard. They are also exceedingly sensitive on the score of having honor and respect paid to their deliberations. This is carried to such an extent that even when not in session and but few occupy their seats, rapt solemnity reigns over the hall. It was always so as I remember. And so all-pervading was the sensation of awe, that an outsider scarce dared whisper. His imagination without control was loosed; it seemed to him that from every nook and corner spectres of a past age peered out as if they lurked there as guardians of the old order of things.

Every senator has a duty self-imposed, of using all his endeavors in support of the sovereign dignity that has become proverbial. One day I recall, a few minutes after adjournment, a representative from the House came into the chamber, and taking the seat of an absent member, leaned back nonchalantly and put his feet up

on the desk. He was a tall man and conspicuously longer from his waist down than from that point up; so much so indeed, that he might have been said to be long of limb. It was Representative Farnsworth, of Illinois, of whom I speak; and his attitude at that moment was not only grossly at variance with the traditions of the Senate, but very awkward to say the least. Senator Wilson, though a friend of Mr. Farnsworth's, was quick to notice the unusual scene. He directed me, as I happened to be near, to go to the gentleman and say that was not the proper position for anyone to assume while in the Senate chamber. I repeated the message as it was given, whereupon Mr. Farnsworth took his feet down and laughingly said: "You're more dignified over here than we are in the House." He was certainly right about that.

Senator Wilson was an index of decorum, always preserving an austere manner in the chamber. He represented the proud old commonwealth of Massachusetts, and he represented her with statesmanship the highest. His was a most remarkable beginning, and the pattern of his life was like that of many of America's famous men. Through hardship and struggle he fought the battle on the hill of life, inch by inch, ever pressing forward to new ground until at length he reached the summit of success. Born in a small town of New Hampshire, in a home of poverty, he was forced at the early age of ten years, to seek an apprenticeship to a farmer named Wilson. His own name was Jeremiah Colbath, but

he adopted his benefactor's name by special act of legislature. Eleven years were spent in agricultural pursuits, each year serving to strengthen him more and more in the hardihood of New England character. By the time of the expiration of his indentures, he had read nearly one thousand volumes, chiefly of history and biography, and these books to the ambitious youth became the templets upon which he fashioned his career. He now set out and walked to Natick, where he addressed himself to the occupation of shoemaking. As a shoemaker he had ample opportunity for thought, which by long use formed in his character a valuable attribute. Some years later we find him a prosperous shoe manufacturer. In 1840, he became active in General Harrison's campaign, making a great many speeches, and helping to win the victory which swept him into the State legislature. In 1855, he was elected to the United States Senate, to fill the vacancy occasioned by the resignation of Mr. Everett. The Whig party of Massachusetts was to the backbone a party of aristocrats, dominated by men of culture and education, and although professing to advocate the cause of the working masses, they carefully avoided too close contact with them. Mr. Everett—a man of high birth and advanced scholarship, an associate of the English nobility—had long represented the party in the Senate. Now the Natick shoemaker aspired to fill the vacant seat. It was considered a disgrace to the old commonwealth, but Henry Wilson was elected nevertheless, and while he was not a man of letters such as Edward Everett,

he was a dignified gentleman, a master of political questions, a fearless and faithful legislator, and was twice re-elected. An untiring worker during the Civil War, when he was chairman of the Committee on Military Affairs, he earned the title of "The Soldier's Friend." In 1872, Mr. Wilson became Vice-President of the United States on the ticket with General Grant.

The following ringing words spoken by him in reply to a speech of a southern senator in which it was claimed that "hireling manual laborers" were essentially slaves, reflect so much upon his own life that they are not out of place in this sketch, although somewhat in advance of the discussion:

"Sir, I am the son of a 'hireling manual laborer,' who with the frosts of seventy winters on his brow, lives by daily labor. I, too, have been a 'hireling manual laborer.' Poverty cast its dark and chilling shadow over the home of my childhood; and want was sometimes there—an unbidden guest. At the age of ten years, to aid him who gave me being in keeping the gaunt spectre from the hearth of the mother who bore me, I left the home of my boyhood and went forth to earn my bread by daily labor."

At the American National Council, held in Philadelphia in 1855, Mr. Wilson, the logical leader of the opponents of slavery, while making an address, observed a southerner to cross the hall with a revolver in hand, and approach very near him, where he took a seat, with the intention of a threat. The slaveholder had misjudged his man, for the insult was rebuked in these round

sentences: "Threats have no terror for free men. I am ready to meet argument with argument, scorn with scorn, and if need be blow with blow. It is time the champions of slavery in the South realize the fact that the past is theirs, the future ours."

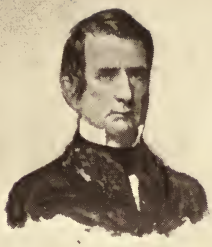
There is but a word necessary to be said in introducing the New York senator, William H. Seward. The Secretary of State in Lincoln's cabinet, is commonly recognized as one of the most notable of American statesmen. Lofty in thought, cool in judgment, rock-grounded in argument, he was decidedly impressive as a speaker. His course was always deliberate and wise. Very thorough in style, a model lawyer, an unflinching advocate, and a man of great gravity in all transactions, Mr. Seward easily ranged with the forefront of the leaders in the Senate. He was conspicuous in the great debates, and as one of the chief factors in the cause of abolition, he was unyielding even on infinitely small points where pro-slavery contestants might possibly gain an inch. He took a firm stand on the remarkable Kansas question, as will be seen in the pages following.

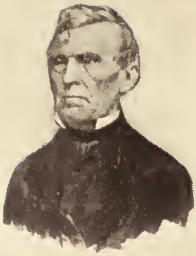
On one occasion (February, 1856) in a speech on an appropriation bill, he alluded to the Senate in these words:

"I confess, therefore, sir, to an earnest desire, a strong desire, to retain for the House of Representatives the privileges and rights which it has exercised from the foundation of the government to this day. I am not amongst those who under-

value the patriotism, or the intelligence, or the virtue of the Senate of the United States. No man is more reverential of the virtue of the dead of past ages, or of their wisdom, than I am; no man is less likely to be extravagant in praises of their wisdom than I am; no man is less likely to be extravagant in praises of the wisdom and virtue of the living; yet, sir, I am one of those who regard it as amongst the caprices, and the follies, and the absurdities of this age, that we are accustomed to suppose our fathers were wiser than we are, or more virtuous than we are. Sir, I think that the sun of heaven never shone upon a body of more patriotic men than that which I have the honor to address. It is for me a pride which I shall carry to my grave, that I was deemed worthy by the State to which I belong, to be associated, by their act, as a member of this august body. So far from its having deteriorated I believe it has gained both in virtue and in wisdom."

Elected first to succeed Henry Clay, John J. Crittenden, the distinguished Kentuckian, served his State in the Senate many years; was twice appointed Attorney General of the United States, served a term as Governor of his State, and was a senator again in the 34th and 35th Congress. He was not only one of the ablest men of Kentucky, but one of the ablest of American statesmen. Broad-minded, generous, and brave, he was an advocate of measures looking to the pacification of the whole country at the time when difficulties were arising between the sec-





WILLIAM H. SEWARD.

JOHN J. CRITTENDEN.

SAMUEL HOUSTON.

JOHN P. HALE.

tions, as an example of which patriotic principles, the following noble address, made March 17, 1856 (at the age of seventy-one), in a rejoinder to Senator Toombs, of Georgia, is quoted:

"I am neither of the Democratic nor of the Republican party. I wear no party shackles. I am here as the Senator of "Old Kentucky"—brave and noble old commonwealth. My ambition is to act in her spirit and by her inspiration. I did not come here to act in the character of a partisan.

"Long service and experience in public affairs have divested me of much of the misconception, the prejudice, and the passion that belongs to the partisan; and upon lately taking my seat here, probably in the last term of my public service, it was my intention and my hope to act rather the part of patriot than that of party man.

"I am a true son of the South; may prosperity fill all her borders, and sunshine forever rest upon her head, but for all this, I do not love the Union the less. I am a true citizen of the United States; I claim the whole of it as my great country; and for the preservation of that Union which makes it so, I will always be ready to say and do. It is in this spirit, sir, that I have endeavored humbly to do my duty—my duty to the South, and my duty to the whole country."

The Chippewa Indians, and in fact the Sioux and Winnebago tribes also, whose lands covered a greater portion of Minnesota, had an unfailing friend in the Senate in the person of

one whom they called in their strange tongue a name which is rendered "White Rice" in English. Henry M. Rice, senator from Minnesota, was that friend. He was a staunch American, and in his characteristics he bore the trace of that sturdiness which animated the frames of our early pioneers. His birthplace was Waitsfield, Vermont. At the age of twenty he emigrated to the frontier town of Detroit, and two years later shouldered a pack and trudged two hundred miles westward to a part of the country but little more than a wilderness. He became a trader, and for many years controlled the trading interests of that region. In the early days, back in Vermont, he had studied law, and in this new country he applied his knowledge of that profession toward securing the passage of many laws, and the framing of a State constitution, preparatory to the admission of Minnesota into the Union. His election to the United States Senate was an honor wholly due to one who had rendered such valuable service to the State.

He was such a man as suited the environment of the Minnesota wilds, where he had followed the old Indian trails, and had by kind contact cemented many friendships around the campfires. He had dwelt and had hunted with the redskins long enough to learn the traits of their character, and to know their needs and, therefore, their deserts. He grasped within the compass of his broad sense of right, a full appreciation of a declining race in the tenants of the wigwam; and in the Senate of the United States he was a force working to the advancement of the cause of those

tribes whose trust he had won in fair and manly intercourse upon the far borders of the northwest.

"White Rice" went in and out among them in their haunts, as one who wore a wampum in token of high privilege and power in their councils and in their hearts.

In the island of Trinidad, Stephen Russell Mallory was born. His boyhood was spent at Havana until the death of his father when the widow and her son removed to Florida. Although his father was a native of Connecticut, Stephen Mallory had resided with Spanish-Americans for so many years and had married a Cuban lady, there was every reason for his holding in his heart the most tender feelings toward these Castilian people. He was senator from Florida from 1851 to 1861, when he joined the Confederacy. In 1858, he was proffered the appointment of Minister to Spain, but declined.

The Senate having under consideration a bill providing for the acquisition of Cuba by negotiation (February, 1859), Mr. Mallory made an inspired address in defence of the Cubans and their religion. In part he spoke as follows:

"It is said that Cubans are Catholic and therefore averse to, and unfitted for, liberty, and that the Catholic Church is hostile to freedom. An assertion so irreconcilable with the truth of history scarcely merits a serious answer; but, sir, if this charge shall ever be made under circumstances requiring a response, Heaven grant that the Church may have the privilege of confronting

her enemies here before the freest and greatest forum upon the earth. As one of her humblest followers, and a most indifferent one, I regret to say—perhaps the only one in the body, I stand always ready in her defence; but, sir, she needs no defence. There she stands, with her historic truth and traditionary love of eighteen centuries clustering around her head, her annals illustrated and adorned by the proudest names and monuments of earth; her teachings sublime and universal, her morning sacrifices to the everliving God. It is also alleged that the Cubans are ignorant; that they are satisfied with Spanish dominion, and desire no change. Sir, I profess to know something of the Cubans, and I feel bound to remind those gentlemen who have dealt here in wholesale abuse and in some inuendoes against their indisposition to liberty, against their incapacity for self-government, against their ignorance and superstition, that in of about six hundred thousand whites they sustain one daily journal at least having nine thousand daily circulation; while in the mother country there is not a single paper that has two thousand, and that daily journal, about the size of our *Journal of Commerce,* is twice the size of any in Spain. They have sought the United States upon every occasion; and those you have seen here are fair specimens of the Cubans. In private virtues, I do not believe they will compare unfavorably with our people. The spirit of hospitality rests upon every Creole mansion in Cuba. Most especially does it to an American. The miserable pretense has been set up, and sometimes urged here that

this people crushed and downtrodden as they are, do not desire a change of government. It is the most preposterous presumption on earth, that a people thus welcoming the sun in her coming, and her vesper bells cheering his departure throughout the bounds of earth. Sir, let the charge be seriously made, and its refutation will be found in every forum and upon every field where freedom has been lost or won."

VI.

HUMORISTS OF THE SENATE.

He who brightens the dull path of logic with a glimmer of absurdity, or a humorous reflection here and there, makes it much easier for himself to be understood, oftentimes; and it enables him to take a fresh hold upon his audience. A little nonsense was always relished by the Senate, and in that body there were some master wits. "Sam" Houston, of Texas, John P. Hale, of New Hampshire, and "Bob" Johnson, of Arkansas, were the most noted. Others there were who recognizing the force of humor could not refrain from sprinkling their speeches with drollery; and some again were funny when they were in serious mood. For instance, fancy a leader in parliamentary debate, rising and creating almost a tumult by rapping vigorously for one of the pages to bring him snuff; for the pages who carried snuff boxes had a bean which kept the contents moist and in good condition, better than the senators themselves could keep it.

I remember some men who were very exceptional characters. Lewis Cass, of Michigan, was one. He was often comical, though he may not always have intended to be so. He wore a wig of reddish hue, and when he waxed warm over an

argument, this wig would slip a trifle to one side, giving him, to say the least, a wry look. Then he had a habit of ordering a glass of lemonade to be placed before him while making a speech, and would take a sip of it after each dry remark.

Robert W. Johnson, or "Bob" Johnson, as he was called, had the true sense of the ridiculous. He was a man of generous impulses, and those genial traits that endear one to his fellows. A good speaker, he was not blind to the openings where a little fun could be inserted, and he made the Senate roar with laughter. At two o'clock one morning (in 1856), when there was a deadlock, and everybody was drowsy, he roused them to almost continuous laughter.

He said:

"It is now two o'clock. One of our rules is that 'no member shall speak more than twice in any one debate the same day, without the leave of the Senate.' Whether this rule has been observed or not, I shall not say, but as I have declared, it is now two o'clock."

A Senator: "It wants four minutes of that hour."

Mr. Johnson: "That is very near it. I wish to ask whether it is supposed that a vote will be taken on this bill after a while? There is no doubt whatever, judging from the deep-toned feeling which exists here (laughter), and from the exhibit of the numerous and well-filled seats and benches around me(renewed laughter) that the excitement of the debate stirs to the very depths the feelings of everyone on both sides of the House. Not one seat is vacant, for I see

them all filled. (Laughter.) Does not this circumstance justify us in coming to a vote?

"Sir, the hour is late. In fact I might have said the same thing with perfect truth, two hours ago. It was a late hour then, the session has been protracted to an unusual and extraordinary period. I have listened with great pleasure, and I hope with much instruction, to the many views which have been presented by various senators; but I think we have at last got more than enough of a good thing. The rules prescribe how often a senator is permitted to speak on a single subject on the same day. I have already read that rule. It may be, sir, that there is a great deal which has not been said that ought to be said on this subject. It may be that the theme is far from being exhausted. It may be that the public mind needs enlightenment. It may be that the Senate requires light. Perhaps speaking will afford that light. I have no doubt of it, from the evident attention which we find here from the great number who wait and listen. (Laughter.) This should satisfy us that that which is spoken wisely and well must have its effect, and may turn the tide on this question. I do not know by what spirit we are to be governed, or what direction our votes are to be borne. At this late hour, two o'clock, I see the chamber so full, and hear all around me the voice of discontent portraying to everyone the deep interest which the subject excites, and I hear it from the recesses of the chamber behind us, that I am sure we will soon have the vote. I am sorry that gentlemen should think it necessary to teach others, and force their

convictions on them, in the midst of the evident misery, the great excitement, and the almost raging madness produced by this debate on those who are listening to it in every window, and all around the chamber. (Laughter.) Sir, I do not believe that any senator is disposed to violate the fourth rule, which says that 'no member shall speak more than twice in one debate on the same day!' This is a gentle intimation that no gentleman is expected to detain the Senate unnecessarily. May we not apply that principle to the debate on this subject? It has lasted from the first Monday of December until the present hour. I do not think it is reasonable to require us to listen to the discussion night and day. Sir, if we could have profound silence in the Senate for a moment, I believe we could hear all around us the outpourings of profound conviction, earnest sighs, deep breathings. (A voice: 'Of the sleepers.') telling us with a strong voice, that the hour is late, and that we are not all qualified to sit here forever, though we may sit patiently as the senator from Michigan (Mr. Cass) certainly does, notwithstanding the fact that he is the oldest man amongst us; but he cannot last forever. I trust we shall at once come to a vote, and have no more speeches on this subject, unless some speech which will bring this crisis to a determination, and settle the question of the very existence of the Union. What is the use of continuing the debate? Who has an idea that it is of importance to pass this bill, unless it be adopted by the House of Representatives? Some southern men are said to be opposed to it; and I doubt exceed-

ingly whether the bill will be passed by the House, though it may be adopted by the Senate.

Senators will pardon me for having called their attention to the fourth rule. Of course the senator from New York (Mr. Seward), who I perceive desires to obtain the floor, will not understand me as applying to him, for I believe he has not spoken more than two or three times to-day and to-night. (Laughter.) I hope that other gentlemen will be admonished by his example. I trust in view of the high exctement which now exists here, that no gentleman will lend a hand to increase it. (Laughter.)

Now as for that skill in the sharp encounters of debate, which often depended on humor to blunt the poisoned shaft and toss it harmless at one's feet, John P. Hale was without a match. His was the *chasseur* style—quick in action; first troubling the enemy at this point, then suddenly rallying on a fresh ground, outwitting him at every stand, until he is forced to retire. With courage, wit, and eloquence, he was a formidable opponent.

During the discussion of a bill in relation to a railroad along Pennsylvania avenue from Georgetown to the Capitol (in January, 1859), Mr. Hale held the floor one afternoon and gave the Senate an amusing talk, which, if it did not accomplish much, caused them some diversion.

Mr. Hale: Mr. President.

The President pro tempore: The Senator from Maine.

Mr. Hale: The chair is mistaken about where

I live. I live very near to the line of Maine; it's only about four miles from where I live in New Hampshire. I have sat here this afternoon somewhat impatiently. I am opposed to working on Saturday afternoons. When I was a boy I never used to go to school on Saturday afternoon. I always vote to adjourn over Saturday, and I always shall, for I think we shall be able to do the public business better in that mode. I have sat here all this afternoon impatiently under these debates on this little two-mile horse railroad. It has looked to me as if the Senate of the United States are rather coming down when they devote a whole day, and an extraordinary day of session to it; but since I have heard the Senator from Michigan, I am converted entirely. I think the day has been well spent, and it would be well to spend a little more time on this subject, and for that reason I have got up. (Laughter.)

The suggestion the Senator from Michigan (Mr. Stuart) made which converted me is, that it is a question which towers up above all horse-railroads, and all Pacific railroads, and magnetic telegraphs, and everything of that sort, because in his imagination—and he has given it to us gravely, deliberately, and emphatically—it is a question whether the Senate has anything to do with the legislation of the country or not. Now, sir, I am for the Senate; and if that is the question, and if it is that which is involved in this horse-railroad, I am against it. (Laughter.)

The President pro temporo rapped with his gavel.

Mr. Hale: You did not knock at me, sir—did

you? (Laughter.) I confess that the question presents itself to me in an aspect entirely different. It presents itself to my mind in a much more terrific aspect than any view in which I have been in the habit of looking upon it. But, sir, I think the Senator from Michigan is mistaken. I cannot but think that the privilege and prerogatives of the Senate will be preserved whether this horse railroad be incorporated or not. I do not think their track will go through the Capitol grounds, or in any other way interfere with us: and even if this railroad bill should be passed to-night, we shall come here at twelve o'clock on Monday, and commence the discharge of our functions exactly as well as if the bill had not passed. . . .

Mr. Stuart (of Michigan). I am not at all surprised at the argument of the Senator from New Hampshire, and I do not at all regret it. I am not surprised that he should have assured me and the Senate that he had been here to-day and did not know who was arguing one side and who the other on this question, because I found him asleep over there in his chair (laughter), his head lying back, of course he knew nothing.

Mr. Hale: Mr. President.

The President pro tempore: Will the Senator from Michigan yield to the Senator from New Hampshire?

Mr. Hale: Never mind; I shall get it in a moment.

Mr. Stuart: It did not amaze me for a moment that the Senator should misrepresent all I said. It is his habit.

Mr. Hale: I call him to order, sir.

The President pro tempore: The Senator will take his seat. Will the Senator from New Hampshire state his question of order?

Mr. Hale: He says it is my habit to misrepresent; and that is an impeachment of my integrity on the floor, which he has no right to make. That's the ground for calling him to order.

The President pro tempore: Will the Senate say whether the Senator from Michigan is in order or not?

Mr. Davis: I think the point of order is clearly well taken by the Senator from New Hampshire. I do not think it senatorial for one Senator to say to another that he misrepresents anything.

Mr. Hale: He said I not only did it, but that it was my habit.

The President pro tempore: The Senator from Michigan has the floor.

Mr. Stuart: I am very sorry that the Senator from New Hampshire should have so changed his feelings.

Mr. Hale: I call for the rule of the Senate to be enforced.

Mr. Pugh: What is it?

Mr. Hale: I called the Senator to order. The Chair should either decide it, or submit it to the Senate.

The President pro tempore: The Chair submitted to the Senate whether the Senator from Michigan should proceed in order. The Chair heard no objection, and took it for granted that it was the sense of the Senate that the Senator from Michigan should proceed in order.

Mr. Hale: I did not so understand.

The President pro tempore: The Senator from Michigan has the floor.

Mr. Stuart: I was remarking that I was a little surprised that the Senator from New Hampshire should have so changed his own feelings. He waked up in a most mirthful sympathy just now. He was full of glee and made a very violent effort to see if he could not make a little fun out of the remarks I made. He is now changed in his tone entirely; he is an offended Senator; he has waked up cross. That is remarkable; because when a gentleman introduces in a body of this sort a scene of drollery, he mars the whole play when he undertakes to change it to one of anger; it should be carried out. Now everybody knows the attention that is paid by the Senator from New Hampshire to all business; that he is always in his seat, always knows what is going on, never speaks but to enlighten the Senate, never leaves the Senate unnecessarily to go into his State or elsewhere. Indeed, sir, he is one of those lights of the body that the Senate can scarcely get along without; and therefore I felt that when the Senator stated I had said the only question presented here to-day was a question involving the rights of the Senate, the Senate was bound to believe that, notwithstanding my argument was entirely the reverse. I said I had heard that argument that the Senate must not amend a bill because it would be lost in the House of Representatives. I did not say that the question presented to the Senate was one whether it would maintain its own powers of legislation or

not. I said no such thing. I said that the argument carried out must mean that and nothing more. I said it emphatically, the Senator says. I hope I said it respectfully to every Senator; and to the body; and if in arguing questions here, I shall deem it proper to speak directly to the point in a logical way, and for purposes of useful legislation, instead of thrusting myself in the arena like a clown at a circus, I must be excused for preferring that plain mode to the other.

Mr. Clay: I move that the Senate adjourn. ("Oh, no!") It is a quarter to five o'clock, and I think this farce is likely to be turned into a tragedy, and I hope the Senate will adjourn. The motion was not agreed to, there being on a division—ayes 14, noes 21.

Mr. Hale: Mr. President, all personal matters are disagreeable to me. I want to state now—I do not go into anybody's motives—but the Senator from Michigan misstates entirely and totally the remark which I made, upon which he based what I suppose he calls wit, and I am willing to let it go on; and that was that I did not know upon which side gentlemen had been arguing here.

Mr. Davis: I think the Senator is committing the very breach of decorum for which he called the Senator from Michigan to order.

Mr. Hale: I did not say he misrepresented.

Mr. Davis: You said misstated, which is somewhat more harsh. I hope the Chair will enforce the rules of order.

The President pro tempore: The Chair will declare the Senator out of order, and the Senate

will determine whether he shall proceed in order. Those in favor of the Senator proceeding—

Mr. Crittenden: I wish to say a word on that subject. I certainly desire the order of debate to be preserved as much as anybody, but although I acknowledge the term "misstate" sounds harshly, it does not imply that it is done intentionally.

Mr. Hale: Certainly not.

Mr. Crittenden: I may misstate a case which I do not understand. I examined a little once as to this very question. When you say a gentleman has misstated, you mean only that he has stated erroneously, but not misrepresented or misstated intentionally. I consider it not out of order at all, but within the strictest rules of order.

The Presiding Officer: Those in favor of the Senator proceeding in order will say "Ay." The question was decided in the affirmative.

Mr. Hale: I did not mean to be out of order, and I carefully weighed the word so as not to be out of order. I recollect reading a work of Dean Swift, in one of his travels in one of the nations that he went into, and he said they were so truthful that they had no word to represent falsehood; and when they wanted to say it they would simply say a man said the thing which was not; and that they said to get around the word "falsehood," which was not in their language. Using the phraseology of that learned English writer, I will simply say that the Senator from Michigan has said the thing which was not. He stated that I had said I did not know which side gentlemen had been arguing upon in the Senate. I said no

such thing; thought no such thing; intended no such thing. I said that outsiders, friends of these different companies, had been at me—the one and the other; and I took so little interest in it that I did not know which was for one and which was for the other. I spoke of what occurred outside of the Senate, and not of what took place in it; and, therefore, I will admit that, if the basis had been true, the Senator from Michigan would have made a very witty speech, and that his censure would have been well applied. Now, sir, I shall not undertake to reply to any insinuations and innuendoes of the Senator from Michigan. I will let them all go. I plead guilty to the charge of not mingling in every subject that comes up from the incorporation of a railroad, or a pension, to every great scheme that is brought before the country; and if there is to be any impeachment of my intelligence, or any want of attention to the affairs which belong to the Senate, from the fact that my voice is not heard on everything, in season and out of season, early and late, logically, or illogically. I plead guilty, and leave to the Senator from Michigan, or anybody else that is desirous of it, any laurels that may be won in such a contest. I have none of them; but if the Senator thinks I have been asleep, I have this to say; I know some clergymen sometimes find fault with their parishioners and audience for going to sleep, but I think when a clergyman has a sleepy audience he has no right to complain. If the speaker has not vitality and energy enough to keep his hearers awake, I think they do wisely in going to sleep. (Laughter.) I have always

thought so, and I do not mean that as any reproach to anybody who speaks in the Senate; but if there is anybody in the Senate that has made his voice heard in season and out of season, and has failed to keep his audience awake, I think he had better examine his own powers a little, instead of finding fault with the audience. (Laughter.)

Mr. Stewart: I concur with the Senator entirely and that gives me an opportunity of congratulating myself particularly for being able to wake him up. Until I spoke, sir, he was asleep, sound and snoring. (Laughter.) I presume if I had not spoken, he would have slept until this time, for I believe I am the only man in the Senate that he takes especial pains to interfere with, and hereafter it will be known when it is necessary to wake up the great light of the East, I will speak and he will awake, and the country will be enlightened; they can be amused, the whole scene in the Senate can be changed; if argument will not answer, buffoonery will be resorted to.

"Sam" Houston was one of the gentlest and most kindly natures I have ever known. A true friend and a gallant gentleman. Day after day, during spare moments, he sat there in his seat carving hearts out of soft pine wood. They were pieces about the size of the hand. When he had completed one of these works of art, he would summon a page, and pointing toward some fair spectator in the gallery, would say: "Give this

to that lady up there, with General "Sam" Houston's compliments. Needless it is to add that these souvenirs were quickly accepted and highly prized. The blocks from which they were whittled, were especially prepared for the general by the Senate cabinetmaker (Mr. Griffith).

At church (the E Street Baptist, Washington), the aisles would be choked with people at the close of service, waiting for a chance to get near the big Texan, who always occupied a pew near the pulpit. And there he would stand, his commanding figure wrapped in a Mexican blanket, in cold weather, meeting the people as they came forward, speaking kind and sensible words to each one, from the lowest to the highest.

His history is so universally known, as the leader of a force of invincible men, as a general, as the President of Texas, as governor, we hardly consider it necessary to dwell upon any period of his life, either before or after he was in the Senate.

He was a great fun-maker. Once (in April, 1856), he related the following story in illustration of a point in debate:

"It reminds me, Mr. President, of a trial which took place not very far from here, before a magistrate endowed with a good portion of common sense and considerable integrity, but not a highly educated man—not a metaphysician. When the parties appeared before him, after hearing the testimony on the side of the plaintiff, seeing a good deal of excitement around him, he ordered the court to adjourn, and went out hastily with some bustle. 'Oh!' said the people, 'stop, stop,

Squire, you are not going? 'Yes,' said he, 'I have heard enough.' 'But,' they said, 'you have heard only one-half the case.' 'Yes,' replied he; 'but to hear both sides of a case always confuses me, and I cannot give my decision. I am off!' " (Laughter.)

Apropos of the additions making to the Capitol, in the year 1858, he addressed the Senate, with some poignancy not altogether void of humor, touching upon the statuary designed for the ornamentation of the new structure.

Mr. President: I am not acquainted with the details of extending the wings of the Capitol; but there is one circumstance to which my attention has been drawn, and on which I should like to obtain information; and that is, who are the sculptors that are employed in the shanties out here, in preparing the different statues for their appropriate places in the new Capitol? I have observed some of them; and the Goddess of Liberty, I believe, is one. I am an admirer of stauary, but I cannot say that I am a critic, or even an amateur in that department of art. It does seem to me that it is a figure which makes rather a queer display in the Capitol. In the first place, I object to its attitude, it appears to me to be in anguish—drawn back in the most ungraceful and ungainly attitude for a lady. (Laughter.) It appears to be in torment; and had it been physical, I should have imagined that it really had a boil under the arm. (Laughter.) Take it all in all—take the *tout ensemble*—I have seen nothing resembling it. Instead of the bare feet with sandals, it is represented with a very formidable pair

of russet brogans, that would suit very well for laborers in the swamps of the South. That is one of the most queer and ridiculous things I have ever seen to represent human nature. I have never seen a wax figure but what was equally graceful and rather more beautiful and artistic in its appearance.

Then there is an Indian woman, or squaw, to be more technical, seated on a slab of marble. That may be very well executed, but she has a little papoose in her arms and its little head is sticking out like a terrapin's (laughter) without reclining gracefully on the arm. She has a blanket, or something, holding it up; and its little neck, without the least curve or grace, is very stiff like an apple on a stick. (Laughter.) Now, sir, I think of it, that throughout all ages, as long as this Capitol shall stand, or this Union exist, which I hope is to be forever, that poor little Indian has to sustain a heavy head with that little neck, and without a mother's aid to hold it reclining on her arms. (Laughter.) Any person who will look at that must be agonized. Sir, the scenes around us in this building ought to inspire cheerfulness and pleasure. Instead of that, a contemplation of this figure will inflict agony on every human being of sensibility.

And then there is a poor Indian boy, who looks as if he were of Oriental stock. He has a large shell on his shoulders; and in his agonizing attitude, water is to spout continually on him. He is in the most servile, miserable, cruel agonizing attitude in which I ever saw a creature. It will inspire us with feelings of anguish if we should

ever see these figures displayed about the Capitol. I would like to have the gentleman of the Senate go and see them, before they are placed in a situation where they will have to be removed: because it will cost something to place them there. I insist that, at least, there ought to be an amendment for the purpose of providing curtains to hang in front of them, so that they may never be seen. I am a man of sympathy; I feel for human suffering, and could not contemplate one of these three figures without the extremest agony.

They are in torment; you would suppose they were representations of some criminal that had committed an unpardonable offense, for which he was doomed to perpetual agony. I object to their going into this Capitol, or being about it. I do not know the artist; I cannot exactly say whether he is a native—no, sir, I know he is not a native; for a native artist, observing nature as it is in our forests and in our wilds—for we all more or less pass through forests and see nature —animal, vegetable, mineral, all around us—could not have fancied such sketches as these are, I object to them unequivocally; I can never submit to them.

General Houston, like all men with a keen sense of humor, was sympathetic and kind. The Indians, among whom he had lived a great deal, claimed his protection. He had witnessed the degradation of brave chieftains, due to the agency of hideous vice, introduced into the camps by white men. He made a speech in Jan. 1855, on the Indian.

"They are a people isolated in their interests,

and solely dependent for protection and justice upon the Government of the United States. The Indians have been charged with an aggressive and hostile spirit toward the whites, but we find, upon inquiry, that every instance of that sort which has been imputed to them has been induced and provoked by the white man, either by acts of direct aggression upon the Indians, or by his own incaution, alluring them to a violation of the security of the whites." After citation of numerous instances, in which he alludes to early days, Houston said: "The course which has been pursued, since the days of William Penn to the present moment, has not been entirely successful in conciliating the Indians. But under the management of Washington, of the first Adams, of Madison, of Monroe, of the second Adams, of Jackson, and of Polk, we have, with few exceptions, been very successful in maintaining peace with them. The suggestions made by our fathers in relation to their civilization and humanization are exemplified and illustrated in the present condition of the southern tribes, who have received the greatest benefits of the light shed on them; and they have responded to it by the cultivation of mind, by the development of resources, both physical and intellectual, which reflect luster on their character.

When Texas was annexed to the United States, these Indians on account of faith having been maintained with them by the then Executive of Texas, refused to meet and confer with the commission sent to them by the President of the United States until they had the sanction of the

Government of Texas; and the symbols of confidence were put in the hands of the commissioners before the Indians would treat with them. Take an illustration. One of their chiefs, with his wife and child, and twelve men came to Fort Belknap, some one hundred and fifty or two hundred miles west of the fort at Hamilton's Valley. Property had been stolen by Indians. It was not known which of thirteen different tribes had taken it, for outlaws occasionally congregated from each, half a dozen of them stealing off from their tribes without the influence of their chiefs operating upon them. They were outlaws, careless of the destiny of their tribes, and reckless of the crimes they might commit, so long as they could gratify their cupidity, and recompense their daring. These men had taken some property. Dragoons came on in the direction of the Red River, and reached Fort Belknap. So soon as they arrived, the officer said to the chief: 'Sir, I retain you as a prisoner. It is true you came here under a white flag; but I am an officer. I have the power; I take you prisoner, and you must stay here a prisoner until the horses are brought back. Your men must stay, too, except one, whom I will send to your tribe with the intelligence of the fact.' The chief said: 'My tribe have not committed the robbery; it is a great distance from me; it is in another direction. I come from the rising sun; that is toward the setting sun; I was far from it; you are between me and it; I did not do it.' 'But,' said the officer, 'you are a prisoner.' The officer put him in the guard house. Imprisonment is eternal infamy to an In-

dian. A prairie Indian would rather die a thousand deaths than submit to the disgrace of imprisonment. You may wound and mutilate him as you please, you may crush every limb in the body of a prairie Indian, and if he can make no other resistance he will spit defiance at you when you come within his reach. This chief meditating upon his deep disgrace, knowing that he was irreparably dishonored, unless he could wash out his stains with blood, resolved that night that he would either die a free man or rescue himself from dishonor. He rose in the night. He would not leave his wife and child in the hands of his enemy; so he took his knife, and stabbed his squaw and little one to the heart. Not a groan was heard, for he well knew where to apply the poignard. He went and shot down the sentinel, rushed upon the superior officers, was shot, and perished like a warrior, in an attempt to wipe a stain from his honor. His men fled, and returned to their tribe, but it was to bring blood, carnage, and conflagration upon our settlements. They came not again as brothers to smoke the calumet of peace, but with brands in their hands to set fire to our houses. Contrast that with previous years; contrast it with the harmony which had before existed, and you see the lamentable results of sending, as Indian agents, army officers, to take charge of Indians, men who know nothing about the Indian character. Sir, while people are seeking to civilize and Christianize men on the banks of the Ganges, or the Jordan, or in Burrampootah, why should not the same philanthropic influence be extended through soci-

ety, and be exerted in behalf of the American Indians? Is not the soul of an American Indian, in the prairie, worth as much as the soul of a man on the Ganges, or in Jerusalem? Surely it is."

VII.

BUILDINGS ON THE MALL.

Within recent years, encroachment upon the Mall has been attended with so little opposition, a few remarks by the chairman of the District Committee (A. G. Brown, of Miss.) on the motion to reconsider the vote by which the location of the District armory was changed from the Mall to Judiciary Square, may be of interest.

Mr. Brown: I do not mean to worry the Senate with this question, though I really think it is of consequence. The site on which it is proposed to erect this building, as I remarked before, contains seventeen acres of ground, lying directly between the Capitol and the Potomac river. This it is proposed to spoil, as I think, with this building and to give it up as a mere parade ground. The interests involved, in my opinion, greatly exceed the simple question of the $30,000 which happens to have been appropriated. If gentlemen will take the trouble to look into the past history of our legislation, they will find that when you erected your Treasury Department which is a national building—it was put on the President's Square. Why was it not placed on the Mall? Because at that day the President and those who had the location of that building believed it to be

right to preserve the Mall from encroachment. At a later day, when you built the Patent Office why was not that put upon the Mall? It was not done because the gentleman who had control of public affairs then thought that this reservation ought to be preserved. When you built your Post Office Department, why did you buy the ground on which it was erected, instead of taking the Mall which you owned?

My friend from California asks me—I hardly like to stop to answer such a question—why do we wish to preserve it? Sir, why does Philadelphia pay large sums of money for public parks? Why has New York within the last twelve months paid $6,000,000 for a public park! Why is Boston Common to-day considered the beauty and glory of that ancient city? Because these reservations, in the course of time, as cities grow large and old, become the very lungs through which your population breathe. That is the reason why we wish to preserve this reservation. When you located your Military Asylum why did you not put it on the Mall? You selected a site in the neighborhood of this city and paid $50,000 for the ground on which to locate it. Two years ago, when you were about to locate the Lunatic Asylum, why was not that put there? Then you paid a large sum of money for ground upon which to locate that building. Now, sir, when you are about to erect buildings for the War, State, and Navy Departments national buildings—why do you not put them there? It seems nothing is to go there but this poor, little miserable armory; and it is to be placed there be-

cause certain men desire to use the Mall as a parade ground for their holiday soldiers—ground which has been held sacred—which was first laid off by the Father of his Country, as I am prepared to show. I have the plan of the city signed by George Washington himself, with his own sign manual, laying off and preserving this ground for the public use. For fifty years it has been preserved intact, with two exceptions. You placed the Smithsonian Institution there, and I think it very much out of place. If I had been here at the time I should have opposed its being located there.

You also provided for placing the Washington monument there, and you could not have put in a more proper place; but no building ought to have gone there. What will be the next plan suggested? Somebody will propose to put the market house there; and by and by somebody will wish to have the jail removed there. Then some one will wish the school houses to be put there, because it will make a pretty playground for the children; then you will have a blind asylum there, because the children will be able to get fresh air. Better reasons can be given for putting any of these buildings there than for desecrating this reservation by giving it up for a parade ground."

Mr. Hale's remarks:

"It is rarely that I have heard a speech with which I coincided so entirely and totally as the speech which fell to-day from the honorable Senator from Mississippi (Mr. Brown). Now, I hope when we have such sage counsels from the chairman of the committee who has the District of

Columbia under his charge, we shall follow him and take his advice. When this Capitol shall be completed, we shall be under the necessity of buying at a very large expense portions of land which we once gave away, and which ought to be a part, and must be a part, of the grounds attached to the Capitol. When these wings are completed, you will have to buy at an enormous expense, land which we gave away for a mere song, or less than a song. Now, when we have seen what has been the result of our dealing with the public grounds here, I trust Congress will stay its hand, and not build an armory on this ground, which was intended to be public reservation forever. If an armory is wanted, let it be put somewhere else than on that spot, which was intended for a public garden and for a public place of resort. That was intended to be a place for the display of the beauties and riches of nature, and not for the exhibitions of war. I wish to see no plumes waving there but those of Nature and her flowers. I trust what was intended to be an ornamental, public reservation, will not be disfigured by anything of this sort. I have not a word to say against the militia of the District. I hope they will have all the accommodation which they need; but I ask senators if they are willing to see these public parks and grounds, which we have been preserving and ornamenting at great expense, made a place for rendezvous of militia trainings? I trust not; but such will be the result if you do not prohibit the erection of buildings on this site. Compared with the use for which these grounds were intended, the ques-

tion of what little damages we shall have to pay the contractors, does not deserve to be taken into consideration. I would rather pay them the whole $30,000 than have them erect their structure on the ground from which this resolution proposes to remove it. I do not wish it to be there, and I would rather it were anywhere else than there. For this reason I shall vote against the reconsideration. Judiciary Square is already occupied. The City Hall is there, and the Infirmary or Hospital is there. The chairman of the committee says it is a convenient place on which to put this structure; and everybody who has been in the city for any length of time knows that the City Hall, which stands on Judiciary Square, is the general place for the rendezvous of the military companies of the District.

Whenever I have heard the drums beating, calling the companies together, I think I have generally seen the gallant colonel of the volunteer militia of the District parading with his forces before the City Hall. They go there now when there is no armory, and they probably will go there when there is an armory."

VIII.

ROMANTIC CHARACTER OF THE GREAT WEST INDIAN.

He was peerless as an orator. To listen to him was like listening to music; he spoke with such ease, with such eloquence, and entirely without notes, save at times he might have a book or a single sheet from which he desired to quote. He engaged in all the important debates; and was a master in every maneuver of parliamentary art. He was senator from Louisiana—Judah P. Benjamin by name. Not only a great speaker, but a constitutional lawyer of mark; one of the best English scholars of his day, and a man of wide and tender sympathies. But aside from all this, his character was romantic to an exceptional degree. Romantic in the sense that it guided his life through so many strange and wonderful paths, and toward such high and noble objects.

His parents were English Jews, who sailed from their native land with New Orleans as their destination. It was the year 1811 and the port of New Orleans was blockaded by the English fleet. So the passengers were landed in St. Croix, in the West Indies. Here, on this island fanned by tropical breezes, Judah was born. After some time the family came to the States, and at the

JUDAH P. BENJAMIN.

age of 14, Judah entered Yale. He remained there three years, when he decided to go with his parents to New Orleans. In that city at the age of 21, he was admitted to the bar. He then engaged in practice for some years, but without signal success. At length producing the "Digest of Reported Decisions of the Supreme Court of the Territory of New Orleans," he began to mount the ladder of fame. He was soon afterward admitted to practice before the United States Supreme Court, where he conducted his cases with such ability as to draw forth this testimonial from Chief Justice Taney: "Senator Judah P. Benjamin of Louisiana was first before the Supreme Court, and second before no other court in the country."

In a debate in the Senate, in June, 1858, he exchanged some hot words with Jefferson Davis, the affair almost leading to a duel. Mr. Benjamin had questioned the interpretation of a certain portion of a House bill of appropriation, which Mr. Davis answered with a sneer.

Mr. Benjamin: It's very easy for the Senator from Mississippi to give a sneering reply to what was certainly a very respectful inquiry.

Mr. Davis: I considered it as an attempt to misrepresent a very plain remark.

Mr. Benjamin: The Senator is mistaken, and has no right to state any such thing. His manner is not agreeable at all.

Mr. Davis: If the Senator happens to find it disagreeable I hope he will keep it to himself.

Mr. Benjamin: When directed to me I will not keep it to myself. I will repel it instanter.

Mr. Davis: You have got it, sir.

Mr. Benjamin: That is enough, sir.

The day after this Mr. Davis apologized on the floor of the Senate.

Mr. Davis: "When I used the expression which was taken to have been in a sneering tone, as to the $100,000 appropriation, it is due to myself and to others that I should say that there was nothing offensive intended, and I think it due to myself that I should say that I am incapable of committing a wanton aggression on the feelings of any man. I always feel pained, nay, more, I feel humiliated, when I am involved in any personal controversy with anybody. It is my wish with every Senator to hold friendly and cordial relations. There is an infirmity which sometimes may involve me, when my attention is directed simply to the transaction of a public affair, into controversies which partake more or less of a personal character. I regret it whenever it occurs. Toward the Senator from Louisiana I had no other feelings than those of kindness and respect; it was not until I thought he exhibited anger toward myself that I felt it. Then it is true, I intended to be offensive. Anger is contagious; the manifestation of it by one is very apt to engender it in another. The whole transaction has been clearly presented by the Senator from Maryland, and I think it is due to the Senate that I should say to them that neither on that nor upon any other occasion have I ever intended at any time to bring into the discussion of the Senate a feeling, if I had, which might be manifested outside of the chamber; and in response

to the remarks of the Senator from Maryland, I have only to say, that if my manner is unfortunate, and it is sometimes, as my best friends have told me, of a character which would naturally impress others with the belief that I intended to be dogmatic and dictorial, it is the result of the characteristic of my mind, connected with the fact that I have not been trained to debate. My pursuits have not led one to minute discussions and when I get up to address the Senate, it is but simply to state a conviction; and when I am not matched with one as skillful, as acute by nature, and as trained by his profession, as the Senator from Louisiana, it is but natural that I should appear to have been the hasty man in the debate, whilst he must have the advantage resulting from that skill which his training gives."

Mr. Benjamin: "Mr. President, it is certainly a matter of no small embarrassment to reply publicly to the observations which have been made by the Senator from Mississippi as well as those of the Senator from Maryland. I think I may appeal with perfect confidence to my brother Senators that upon no occasions have they observed in my deportment toward them in the Senate, anything but the most courteous manner. Patient, myself, of any differences of opinion in debate, it is but natural that I expect a similar forebearance, on the part of others, and I have endeavored upon all ocasions, that my manner toward my brother Senators should be such that whilst we differ in opinion upon important subjects, there should be left no sting in the debates which might occur between us, that none but the

kindliest and best feeling may exist. I have listened with great satisfaction to the statement of the Senator from Mississippi. I think it does him honor, I will say, sir, that I was utterly surprised when I found him charging me yesterday with misrepresentations of his remarks. That surprise has been accounted for this morning by the statement made by the Senator from Maryland. We were speaking of different papers; we were each advised of a different state of facts; and, under the circumstances, it is less surprising to me now than it was then, that the Senator from Mississippi could by any possibility have supposed that I was endeavoring to misrepresent his remarks. I will say further that I did feel at the time that there was an asperity, an undue asperity, in the manner and tone of the Senator from Mississippi toward me. Feeling so, it was but natural, as he himself has said, that I should express resentment, in relation to it, tempered, I trust, by the tone of dignity which ought always to be observed in the Senate, and by that respect for my fellow-members which it is my desire always to manifest. I am very much gratified to hear this morning that his feelings toward me have been such always as he has stated. I am sure I have had for him none but sentiments of esteem, and I may add, candidly, admiration. I say it without flattery. I shall be very happy to forget everything that has occurred between us, except the pleasant passage of this morning."

Mr. Hayne (South Carolina): "I arise, gentlemen, in the cause of humanity, to say but one word. I congratulate the Senate upon the amica-

ble manner in which this business has been accommodated; and I would say but a single word, especially in reference to my young friends. Whenever they are called to the field, in a case like this, let them always select sensible seconds, as their friends, who in the first instance, must decide whether blood ought to be spilt; and if blood ought not to be spilt the responsibility will be upon the seconds. That is all, sir."

When the provisional government of the Confederacy was started in its course, in February, 1861, Jefferson Davis appointed Mr. Benjamin to his cabinet as Attorney General. The withdrawal of the State of Louisiana from the Union had been formally proclaimed by Mr. Slidell. However the leave-taking of Mr. Benjamin, in a speech delivered February 4, 1861, was notable.

Rebellion! the very word is a confession; an avowal of tyranny, outrage and oppression. It is taken from the despots code, and has no terror for other than slavish souls. When, sir, did millions of people, as a single man, rise in organized, deliberate, unimpassioned rebellion against justice, truth, and honor? . . . Traitors! Treason! ay, sir, the people of the South imitate the glory in such treason as glowed in the soul of Hampden; just such treason as leaped in living flame from the impassioned lips of Henry; just such treason as encircles with a sacred halo the undying name of Washington! . . .

Great God! sir, since when has the necessity arisen of recalling to American legislators the lessons of freedom taught in lisping childhood by loving mothers; that pervade the atmosphere we

have breathed from infancy; that so form part of our very being, that in the absence we would lose the consciousness of our own identity! Heaven be praised that all have not forgotten them; and when we shall have left these familiar halls, and when force bills, blockades, armies, navies, and all the accustomed coercive appliances of despots shall be proposed and advocated, voices shall be heard from this side of the chamber that will make its very roof resound with the indignant clamour of outraged freedom. . . .

And now to you Mr. President, and to my brother Senators on all sides of the Chamber, I bid a respectful farewell; with many of those from whom I have been radically separated in political sentiment, my personal relations have been kindly, and have inspired me with a respect and esteem that I shall not willingly forget; with those around me from the Southern States, I part as men part from brothers on the eve of a temporary absence,—but to you, noble and generous friends, who, from beneath other skies, possess hearts that beat in sympathy with ours; to you, who have made our cause your cause, and from many of whom I feel I part forever, what shall I, can I, say? Naught, I know and feel, is needed for myself; but this I will say for the people in whose name I speak to-day; whether prosperous or adverse fortunes await you, one priceless treasure is yours—the assurance that our entire people honor your names, and hold them in grateful and affectionate memory. But with still sweeter and more touching return shall your unselfish devotion be rewarded.

When in after days, the story of the present shall be written; when history shall have passed her stern sentence on the erring men who have driven their unoffending brethren from the shelter of their common home, your names will derive fresh luster from the contrast; and when your children shall hear repeated the familiar tale, their very souls will stand a-tiptoe as they glory in their lineage from men of spirit as generous and of patriotism as high hearted as ever illustrated or adorned the American Senate.

Mr. Benjamin held three portfolios at different times, and lastly that of Secretary of State. He was universally declared "the brains of the Confederacy." Upon the flight of the President and his cabinet, the cause having been lost, we see the great West Indian—we cannot refrain from calling him that—separated from the party and escaping in a little open boat off the coast of Florida. Gone forever from the land where he had risen to such eminence, where his name had been so much honored, he was now a wanderer upon the face of the globe, with no home, no country, no aims. One thing only was his solace—the star of hope, hope born of a nature too transcendent to allow any change or chance of fortune to wreck his gallant career. He landed on the beach somewhere in the Bahama Islands, and eventually sailed to Bermuda, from whence he took passage on a steamer bound for Liverpool. In England he made his permanent residence, and though fifty years of age, was not too disspirited to begin the study of English law. He became a

student at Lincoln's Inn, and consequently and unavoidably a master in English law.

His wife and children resided in Paris, while he plodded along in London with a half-respectable legal practice. But all this while he was preparing a work which he published under the title, "A Treatise on the Law of Sale of Personal Property," which was adopted as an authority on that subject in the English courts. His success was now guaranteed, he became queen's counsel, his arguments were noted, and he soon decided to appear in cases solely before the House of Lords and the Privy Council.

Finally in 1883, his health failing, he retired to Paris to spend the remainder of his life with his family there. On the occasion of his departure from London, he was tendered a farewell banquet at the Inner Temple, which was a notable event. Thus is completed the story of this unusual man. Truly as Jefferson Davis said of him, he was "a Hebrew with Egyptian principles." In him the flexibility of the Jew was combined with qualities that come only by inspiration and illumination such as are so extraordinary in the mysterious "man of the Nile Valley."

IX.

THE QUESTION OF CHAPLAINS.

On December 7, 1857, which was the first day of the session (of the 35th Congress), a resolution was offered to change the former mode of selecting a regular chaplain for the Senate. The custom had been to agree upon some clergyman of Washington, who officiated at the opening of each day's session; but for divers reasons many senators became dissatisfied, and after some discussion adopted the plan of inviting the clergy of the District of Columbia in general, without regard to creed, to officiate in turn.

There was much interest manifested in this arrangement. The plan operated in such a way as to provide one day, for example, an Episcopalian, the next day a Roman Catholic, or a Jewish Rabbi, and went the rounds of all the denominations. I remember seeing ecclesiastics in the black robe of the Jesuit, others in the white robe of the Dominican, and still others vested or not vested according to their church authority.

The discussion was opened by Jacob Collamer, or Judge Collamer, of Vermont, whose gravity and weight of character always controlled more ardent natures and caused him to be called "The Nestor of the Senate."

The resolution was offered by Senator Mason, of Virginia.

Mr. Collamer. This resolution requests the President to invite all clergymen to whom the office may be acceptable to officiate as Chaplains. It seems to me that it will be somewhat impracticable to carry it out and that it will give a great deal of trouble to our President. The office might be acceptable to clergymen from every part of the Union visiting friends here, and that would be constantly interfering with any arrangements which might be made with the clergymen of the city on whom we could rely. If we relied on the clergymen of the city, they could arrange among themselves the order in which they should officiate; whereas, if the invitation be extended to all clergymen, we never can know when they are to attend and when not. I therefore move that the words, "of the City of Washington" be inserted after the word, "clergymen."

Mr. Mason. It would be better to insert the words, "of the District of Columbia."

Mr. Collamer. I have no objection to that.

Mr. Mason. I accept the modification. I have no choice in the matter one way or the other. I offered the resolution in order that we might dispose in this general way of the subject of a Chaplain to the Senate. Every Senator, I have no doubt, has had some experience (I think it is very unfortunate, but perhaps it is incident to the subject matter) that a sort of competition has grown up by the usage of the Senate in electing a Chaplain, which I have thought is not altogether consistent with the office of a clergyman or a pastor.

I will not say, by any means, a competition so much among the clergymen themselves, perhaps, as amongst Senators, who desire to prefer particular persons; but the fact is that it has become a matter of that kind, and it is not entirely agreeable to me, certainly, and I dare say is not to other Senators, to have that state of affairs existing.

My idea of the practice that will arise under this resolution, especially now, since it is confined to the clergymen of the District of Columbia, is that the President of the Senate, at the commencement of each session of Congress, will submit to the clergymen of the District that those to whom the office may be agreeable shall arrange among themselves and prescribe the mode in which they shall alternate, in order that we may have their services every morning as usual, and that the service so proffered shall be gratuitous—which is the true footing, I have always understood, of a clergymen's position. Whether there may not be a proper acknowledgment of the services of these gentlemen at the end of the session, every Senator will decide for himself. My own opinion is fixed on that point.

Mr. Biggs. Mr. President, I understand, from the remarks of the honorable Senator from Virginia, that the design and object of this resolution is substantially to abolish the office of Chaplan as it has heretofore existed under the practice of the Senate, and to invite the clergymen of this District to open the daily sessions of this House with prayer. I am apprehensive, however, that there may be some difficulty in attaining this

object, on account of the wordings of the resolution. I am glad the Senator from Virginia has introduced the resolution. It seems to be a very appropriate one, in view of all the circumstances that surround the Senate and the practice that has heretofore obtained on the subject. I would suggest, however, in order to avoid any difficulty hereafter, that the resolution be amended so as to attain, beyond all doubt, what is desired by myself, as well as, I believe, by the Senator from Virginia, by adding to it the words: "And that the office of Chaplain of the Senate is hereby abolished."

Mr. Mason. I do not understand that there is any such office as Chaplain to the Senate.

I do not remember whether there is a rule on the subject; but the usage of the Senate has been (in conformity, I suppose, to the general public opinion of the land) that our duties here should be commenced by a proper appeal to the Almighty every morning; but I do not look upon it as an office. I certainly do not at all contemplate interfering with the usage of opening our deliberations in the morning with Divine services; but on the contrary, to continue it and place it on what seems to me a more reputable and more proper footing. If the honorable Senator were to offer a proposition to abolish the office, it would perhaps engender some difference of opinion among Senators which I would rather avoid.

Mr. Biggs. My object is precisely the same as that of the Senator from Virginia. I am decidedly with him as to the manner of opening the daily sessions with prayer. I think it is entirely

proper. But if I understand the usage of the Senate connected with the rules of this body and some joint resolutions that have been passed by both Houses, the office of Chaplain is recognized. So far as I am concerned, my object will be attained if the effect of this resolution will be to rid us of the office without introducing any amendment at all—and I understood the Senator from Virginia in the resolution designs that. That being the design and effect of the resolution, my object is accomplished.

Mr. Mason. If there be any rule in relation to the Chaplain, I ask that the Chair direct it to be read; and if it be inconsistent with his resolution, I propose to repeal it.

Mr. Hamlin. There is a joint rule on the subject between the two Houses.

The Secretary. It is a provision passed at each session.

The President pro tempore. The Chair is not aware of any rule for the joint action of both Houses on this subject.

Mr. Mason. I was not.

Mr. Clay. I am opposed to the adoption of this resolution, believing, as I do, that it will prove both unwise and inexpedient in practice. The Senator from North Carolina, as I understand him, contemplates procuring the services of a Chaplain without any remuneration whatever. I do not so understand the Senator from Virginia. I think we should not "muzzle the ox that treadeth out the corn." I believe that "the laborer is worthy of his hire" I think we shall find if we adopt this resolution, and it shall be con-

strued as it is understood by the Senator from North Carolina, that patriotism will fail, that even religion will fail, to induce men to come here every day gratuitously to pray for this body. I think, if we intend and desire to have the sessions of this body opened with daily prayer, we can only achieve that desire by employing and paying a man for that purpose. I do not myself see any serious objection to that. In these degenerate days, I know none of the clergy who live purely by charity, who take their staff and walk abroad, getting their daily meals and their clothing, as wayfaring men, from every good Samaritan they may meet. I know, in my own State, that all the stationed clergy receive regular salaries or compensation for their services. I understand that it is so in this city. What right have we to expect that the clergymen of this city, purely for the honor of the thing or purely for the sake of serving God, will come here and open our sessions with service without any compensation whatever? There is an old adage, and a very true one, that "what is everybody's business is nobody's business." And if we adopt the resolution of the gentleman from Virginia, and empower you, sir, or the Vice-President, to invite the clergymen of this city generally to officiate, we shall find that oftentimes we shall have to go to work without prayers. I trust that the resolution will not be adopted.

Mr. Seward. Mr. President, I hope the honorable Senator who last addressed the Senate will reconsider the opinion he has formed on this subject, and suffer this resolution to pass. I have

felt ever since I have been here, that it brought scandal on the cause of the Christian religion to have an active canvass here for Chaplain. And I am very glad that there is a mode proposed by which that scandal can be hereafter removed.

The form which is suggested by the Senator from Virginia commends itself entirely to my approbation; and the more so because to me it is not new. So long as I have been acquainted with public affairs in the State of New York, or for nearly all that period—certainly for fifteen or twenty years—there has been no single appointment of a chaplain by the Legislature of New York; but each House of the Legislature, either severally or the two houses together, pass a resolution substantially like this, intimating their desire that the clergyman of the City of Albany, the State capital, to be designated by the presiding officer or officers, shall alternately perform this religious service for the two Houses, at such times and under such arrangement as may be agreeable to them.

The difficulty which is suggested by the honorable Senator from Alabama does not exist there, because their resolution always closes with a provision that the usual amount per diem shall be distributed amongst the clergymen who perform the service, in proportion to the number of days they attend. Such an amendment to this resolution would remove from it all objection, and would be perfectly proper. For once, I should have no objection to it; but, at the same time, I am quite willing that that part of the subject shall be postponed until we have made an experi-

ment of the new mode; and then, at the close of the session, an appeal can be made to the Senate in regard to the chaplains. I have no doubt it will be responded to as well at the end of the session as at the commencement. My desire is that the old system shall be changed, and I am quite willing to adopt the one now proposed.

Mr. Mason. Perhaps it is becoming, having offered the resolution, that I should say a single word in reply to the honorable Senator from Alabama. I have not conferred with the clergymen of the city of Washington or the District at all. I did show what I proposed to do to the reverend and excellent gentleman who was Chaplain at the last session (Rev. Wm. Hill), who happened to be present, who is one of the clergymen of this city, and he said he was satisfied it would be considered a compliment, and a very grateful one to the clergy of the District. I have just learned, what I am told is an undoubted fact, that the first clergyman who officiated in the Continental Congress, was the late Bishop White of Pennsylvania, and he did it on the express condition that no compensation should be offered.

I think, appreciating as I do the office of a clergyman—although they are a class of our fellow citizens with whom it has not been my fortune to be very much connected in any way, but I do appreciate their office—it will be peculiarly acceptable to the clergymen if presented in this form.

The President pro tem put the question on the resolution, and it was adopted.

X.

DOUGLAS: THE DEMOSTHENES OF THE SENATE.

I can see him now as he sat there in that seat. He had a massive head covered with rich brown hair, a high forehead and deep-set eyes that were dark and full of fire. His complexion was healthy; he was smooth shaven, had a clean-cut mouth, square chin, and lines that gave him an expression of sadness. He was broad-shouldered, and deep-chested; a little below the average height; and his voice of baritone pitch and extremely pleasing.

In debate he was unconquerable. With the rapidity of lightning, his alert mind perceived the strength or weakness of a point, and when he was unable to turn an argument to his own advantage he would hopelessly befog it for anyone else. Without ornament of speech, he was master of rugged English; he never halted, never used a simile, never fell back on parallels of ancient history. Stephen A. Douglas, of Illinois, was another Demosthenes.

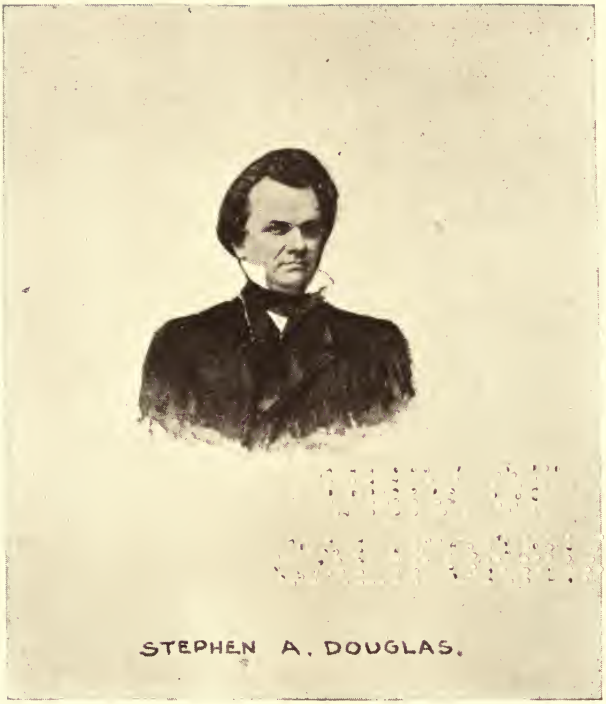
We read that Demosthenes was vehement in reasoning, but was without any appearance of art. He railed against Philip of Macedon, boldly, defiantly, and with the spirit of freedom. He was the foremost man in the State; his principal fame

resting upon his great orations. The likeness between the two statesmen, the ancient and modern, is apparent, particularly in their style of oratory.

Douglas was called the "Little Giant" because of his marvelous ability and comparatively small person. At the threshold of his Congressional career, which began in the House of Representatives, he became the object of all eyes. Socially he was undrilled; nevertheless, with his keen observation, his sense of proportion, and natural wit, he soon took rank in Washington society. He liked better to be with men, though, and to feel the touch of comradeship. He would even grow to call them by their first names. One day going up to Mr. Beverly Tucker, the prominent Virginian, he put his arm upon his shoulder, and said, in his outspoken way, "Bev, old boy, I love you." "Douglas," he returned, "will you always love me?" "Yes, I will.' "But," persisted Tucker, "will you love me when you get to be President?" "I will. What will you want me to do for you?" "Well," said Tucker, "when you get to be President, all I want you to do for me is to pick some public office, a nice one, and put your arm around my neck, just as you are doing now, and call me Bev." It is needless to say that Mr. Douglas enjoyed the humor of Mr. Tucker's remarks. That would be putting it mildly.

Stephen A. Douglas was born in Vermont, in 1813, a descendant of true American stock. The family, however, was of Scotch origin, as the name implies, and was such stock as helped to make our land what it is in robust strength.

His grandfather fought with Washington, and



STEPHEN A. DOUGLAS.

was with him that hard winter at Valley Forge. When Stephen was an infant, his father died. He then, with his widowed mother, went to live with an uncle on a New England farm. He grew up a delicate child. Not having the means of acquiring an academic education, and seeing the future to hold naught for him save what he could get out of it by dint of hard labor, he trudged one day to a small town and apprenticed himself to the trade of cabinetmaking. Little did he dream that another day not very far distant when in the zenith of his powers, he would be in the race to become the maker of cabinets of men.

He abandoned his chosen trade after two years, on account of his health, which was not hardy enough for the demands made upon it. Some time afterwards he headed West and resolved never to turn back until he could show evidences of success. Eventually settling in Illinois, and taking up the practice of law, for which he had prepared in the office of a Mr. Andrews, in Cleveland, he made so decided a success as to open for himself a public career that placed him at the age of thirty in the United States Senate.

Through all the hardships of his early life, and later in his wanderings through the West, he was good-humored and hopeful. In the year 1843, Mr. Douglas was elected to Congress. As a representative from that progressive State, he had her every interest at heart, but refrained from entering the debates of the House. However, with an eye to the future, he watched carefully, absorbed much, and was heard speaking to some purpose in the years following.

In the Senate, March 20, 1856, as chairman of

the Committee on Territories, he introduced the bill "to authorize the people of the Territory of Kansas to form a constitution and State government, preparatory to their admission into the Union, when they have the requisite population."

Mr. Douglas said:

Mr. President: I will ask the indulgence of the Senate for such length of time as the subject may require, provided my strength does not fail me, while I submit some views in vindication of the majority report. . . . In the first place, however, as we have taken up for consideration the bill reported by the Committee on Territories. . . . I shall give a brief exposition of the provisions and principles of the bill.

The first section provides that, when the Territory of Kansas shall contain ninety-three thousand four hundred and twenty inhabitants, to be ascertained by a census taken in conformity with law, a convention may be called by the legislature of the Territory to form a constitution and State government. . . .

I have been absent for the reason that the state of my health did not render it prudent for me to be present, and for the further reason that it had been distinctly understood and unanimously agreed after a brief discussion, that all further discussion of the subject should be postponed for one week, and then to be resumed on the bill now under consideration, when according to the courtesies of the Senate, as well as the rules of parliamentary proceedings, I would be entitled to open the debate as the author of the report and bill, and the Senator from Vermont (Mr. Col-

lamer), as the author of the minority report, would be entitled to reply, after which the subject would be open for free discussion by any senator who might desire to participate in it.

XI.

ON THE ADMISSION OF KANSAS.

The debate on the question of admission of Kansas was so protracted, and the feeling on both sides so bitter, that it must be acknowledged the contest was one of the chief causes that led ultimately to secession and the Civil War.

The question was how Kansas should be admitted. Should it come in with "outlaw slavery" or not? Should it come in with its own constitution, if that constitution favored slavery? Abolitionists were strongly opposed to its admission if it proved thereby an extension of slavery in the Union; whereas the slaveholding South arrayed all her forces in battle line to conduct the new State into the Union as a sister, or kindred State. Mr. Douglas fought with all his courage, which was colossal, to allow "State sovereignty." If the constitution embodied slavery, and was *the will of the people,* it should be upheld, and he stood ready to uphold it.

President Pierce had yielded to the pressure brought to bear by the slaveholding element, and in his message to Congress antagonized the anti-slavery contestants. Senator Seward took up the cause of abolition, and in the course of his speech, April 9, said:

"In like manner the President assails and stig-

matizes those who defend and maintain the cause of Kansas as "men of narrow views and sectional purposes engaged in those wild and chimeral schemes of social change which are generated one after another in the unstable minds of visionary sophists and interested agitators"—"mad men, raising the storm of frensy and faction," "sectional agitators," "enemies of the Constitution, who have surrendered themselves far as to a fanatical devotion to the supposed interests of the relatively few Africans in the United States, as totally to abandon and disregard the interests of the twenty-five millions of Americans, and trample under foot the injunctions of moral and constitutional obligation, and to engage in plans of vindictive hostility against those who are associated with them in the enjoyment of the common heritage of our free institution." Sir, the President's defence on this occasion, if not a matter simply personal, is at least one of temporary and ephemeral importance.

Possibly, all the advantages he will gain by transferring to his accuser, a portion of the popular prejudice against abolition and abolitionists can be spared to him. It would be wise, however, for those whose interests are inseparable from slavery, to reflect that abolition will gain an equivalent benefit from the identification of the President's defence with their cherished institution. Abolition is a slow but irrepressible uprising of principles of natural justice and humanity, obnoxious to prejudice, because they conflict inconveniently with existing material, social and political interests. It belongs to others than

statesman, charged with the case of present interests, to conduct the social reformation of mankind in its broadest bearing. I leave to Abolitionists their own work of self-vindication. I may, however, remind slaveholders that there is a time when oppression and persecution cease to be effectual against such movements; and then the odiom they have before unjustly incurred becomes an element of strength and power.

Christianity, blindly maligned during three centuries by Pretors, Governors, Senates, Councils, and Emperors, towered above its enemies in a fourth; and even the Cross on which its Founder had expired, and which therefore was the emblem of its shame, became the sign under which it went forth evermore thereafter, conquering and to conquer. Abolition is yet in its first century. The president raises in his deference a false issue, and elaborates an irrevelant argument to prove that Congress has no right or power, nor has any sister State any right or power, to interfere within a slave State by legislation, or force to abolish slavery therein—as if you, or I, or any other responsible man, ever maintained the contrary. The President distorts the Constitution from its simple text, so as to make it expressly and directly defend, protect, and guarantee African slavery. Thus he alleges that "the Government" which resulted from the Revolution was a federal Republic of the free white men of the colonies; whereas, on the contrary, the Declaration of Independence asserts the political equality of all men; and even the Constitution itself carefully avoids any political recognition not merely

of slavery, but of the diversity of races. The President represents the Fathers as having contemplated and provided for a permanent increase of the number of slaves in some of the States, and therefore forbidden Congress to touch slavery in the way of attack or offense, and as having therefore also placed it under the general safeguard of the Constitution; whereas the Fathers, by authorizing Congress to abolish the African slave trade after 1808, as a means of attack, inflicted on slavery in the States a blow, of which they expected it to languish immediately, and ultimately to expire.

Mr. Douglas was in the center of the fight all the time. He spoke defiantly as follows:

I do not intend to prolong this debate. I wish to bring these gentlemen to the test. When they taunt us with being cut down, one by one, gradually but certainly diminishing until we shall have been swept away, all we ask of you is to bring your men up to the line; stand up to your principles; redeem your pledges. You need not trouble yourself about finding a man the standard bearer on our side, who is not thoroughly committed to our creed on all points. You need not fear that our candidate will not stand firmly and immovably upon the Kansas bill.

You need not have any fear that he will not take issue with you on every one of the points which you tender—"No more slave States," "the

abolition of the slave trade between the States," and the "abolition of slavery in the District of Columbia." Upon each and all of them you need have no fear that our candidate will not stand firmly, immovably and unequivocally upon the Democratic platform.

Give us a man for your standard bearer who is in like identified with your side of each of these issues. Do not take a man uncommitted, with the hope of getting votes from both sides, and then cheating somebody. Why point to the deserters from the Democratic ranks who have become your leaders, as evidence that you are Democrats? You might as well talk of the Christianity of Omer Pasha because he was Christian before he apostatized and turned Turk. By this pretension you confess that you are in the wrong. You claim as a merit that the deserters from our ranks to yours were once as pure and patriotic as we now are. I wish to understand the precise position. Does the merit consist in the fact that you were once Democrats or does it consist in the fact that you have since betrayed your party and your principles? Is it the Democracy which you once had, but have since lost, or is it the desertion, which constitutes your high claims to popular favor? It seems even now, that you are more proud of what you once were than what you are now.

That is the argument. I was in hopes that you had faith enough in the justice of your own cause and consciousness of its strength and inherent truth, to be able to stand upon that, and to make it a matter of pride and boast, as the

Senator from New York did the other day, when he said he was an Abolitionist. The Senator, however, gave us an illustration which, perhaps, may be satisfactory to him, but I am afraid will not be entirely so to all the members of his party. He reminded us that, while it took Christianity three centuries to be recognized by the princes of Europe, and while he argued that abolitionism was as certain to triumph as Christianity, yet this was but the first century of Abolitionism. Allow me to tell the Senator from New York that he disappointed the expectations of some of his followers when he intimated to them that they must wait two hundred years longer before they triumphed and got possession of the spoils of government. (Laughter.) If the Senator is aiming at the reputation of being a martyr to his cause, I think he is adopting the proper course; and when I am sure it is only at the honors of martyrdom that he is aiming, I shall be better reconciled to his position.

Although I have no ambition to be considered a martyr, I have respect for those who cherish such a hope; and I wish all these modern martyrs to remember that it is a fundamental principle of martyrdom, that no man shall seek his reward until two hundred years after his death! (Laughter.)

In that sense the Senator from New York did not object to be called an Abolitionist. He was looking to the honors of martyrdom and fancying to himself how much he should enjoy at the time when they should be thrown upon him; but the Senator from Massachusetts seems to claim

that they are to reap their reward now. I like that mode of fighting better. Let us have a fair issue now—an issue on principles and on men. . . . Let there be no endeavor to cover up the main issues under the irregularities which may have occurred at the election in Kansas. Let there be no equivocation upon the plea of disturbances of a temporary character that may have arisen here and there; but give us an issue on the great undying principles involved in the contest—the equality of the States—the right of self-government everywhere under the Constitution—the right of each State to come into the Union, with slavery or without it, as it pleases—the right of the citizens of each State holding slaves to insist upon the return of fugitives, in obedience to the Constitution—the right of every man to enjoy every privilege, and insist upon the fullfilment of every obligation conferred or imposed by the Constitution.

Again, let us have no equivocation in meeting the issue, whether a clause in the constitution of a new State, directing the Legislature to pass a particular law, is to be called a constitutional provision, or by some other name. The Senator from Massachusetts tells us (following the lead of the Senator from New York the other day) that he is opposed to that clause which declares that a free negro shall never go into the new State of Kansas. He does not deny but that there was a provision submitted for decision at the time when the Constitution was adopted, whether negroes should be admitted to go there

or not, it was decided in the negative by those who voted at the election. He does not deny, therefore, but that clause becomes a part of the constitution of Kansas in the event that Kansas is admitted with the Topeka constitution, but he says that clause is a barbarous provision, and he would like to know my opinion of it. I gave my opinion the other day. I stated that Illinois had a similar clause in her constitution; she had a right to put it there; it was our business, and not yours; and if Massachusetts does not like it let her do as she pleases within her own limits, so that she does not violate the Constitution of the United States. We do not believe in the equality of the negro, socially or politically with the white man. You may practise it, but do not try to force the negro on an equality with us in our State. Our people are a white people; our State is a white State; and we mean to preserve the white pure, without any mixture with the negro.

If you wish your blood and that of the African mingled in the same channel, we trust that you will keep at a respectable distance from us, and not try to force that on us as one of your domestic institutions. (Laughter and applause in the galleries.) Now, sir, I am willing that the people of Kansas shall decide that question for themselves, as they will have a right to do when they form their constitution, I hold that it is their right to do as they please, so that they do not violate the Constitution of the United States, and to come into the Union with such a constitution as they please. You say no. You say it is your

right and duty, under the Constitution of the United States, to inspect the constitution of Kansas; and if you find slavery there, or any other obnoxious provision which creates an inequality between the negro and the white man, you will vote to exclude such State.

XII.

DISSERTATIONS ON THE SLAVE.

The affairs of Kansas, when stripped of all controversy upon constitutional questions, revealed in bold outline the one great, central object—the slave.

This creature was held up to inspection from the viewpoints of physiology, psychology, and theology, by a senator from Iowa, Mr. Harlan, who was at his best and upon familiar ground; and he treated the subject with profound doctrine gathered from many books, which, in former years, had stood as walls around him, while he sat in the president's chair in a Methodist institution of learning. He spoke with some warmth as follows:

The power of Congress to exclude slavery from all the Territories of the United States, not embraced within the limits of any State, being established or conceded, I enquire, secondly, whether this power ought to be exercised in the establishment of territorial governments where slavery did not previously exist? In the discussion of this proposition, I desire to probe the subject to the core. I prefer to brush away the surface rubbish, and to lay the foundations of the superstructure on the solid rock.

Is slavery right? Is it in accordance with the principles of natural justice? The time has been when very few in the country defended the moral right of one man to hold another in perpetual bondage. Its continuance hitherto has been defended by citing the difficulties that surrounded the question of emancipation. But the passage of the Kansas-Nebraska law has wrought a sad change, I fear, in the moral tone and temper of this discussion. Members of Congress now tell you that the enslavement of the African race by the Anglo-Saxon is no evil; that it is a blessing; that it is the natural condition of the two races; that an enlightened philanthropy requires the enslavement of the African; that he belongs to an inferior race; that he cannot stand the shock of contact with his superiors; that annihilation is the only alternative.

As the African is presented to my mind by the traveller and the historian and by personal observation, I am compelled to admit the inferiority; but if the right of the Anglo-Saxon to enslave him depends on his manifest inferiority, it becomes the duty of every Senator to examine closely the nature of that inferiority. Is it the result of the enslavement of his ancestry for more than a thousand years; or is it the natural specific difference developed in an analysis of the elementary laws of matter and of mind?

In laying the foundation of new states, this problem is worthy of the careful attention of the proudest and wisest statesman on the floor of the American Senate; for in its solution he legislates, by its influence, for the whole human race—not

only for the thousand millions of people that now live, but for the teeming millions as they shall continue to come and go while life shall last. That each may arrive at a correct decision of the nature of the admitted inferiority of the African to the Anglo-Saxon, I request Senators to allow me to refer them to their early elementary reading—to a succinct view of this subject, derived from standard writers on physical, mental, and moral science—from such works as are used in the colleges, academies, and seminaries of learning all over the country—such works as are placed in the hands of the student of law, of medicine, and theology.

Physiologists tell us that there is no specific difference in the physical structure of the two races, that the solid parts of their bodies are consisted of the same number of bones and joints, similarly located and distributed; that there is not a muscle, or tendon, or ligament, or vein, or artery, or secretion, or absorbent, or nerve of motion, or volition, found in the organism of one that does not exist in the other; that each possesses the same senses of sight, of touch, of taste, of smelling and of hearing, that each possesses the same specific means of mastication, digestion, and procreation. There are, however, physical differences. The skin of one is black—of the other white; the hair of one, fine and knotted—of the other, coarse and straight, the lips of one, thick and protruding, of the other, thin and compressed, and prespiratory exhaltations of the one are said to be more odorous than of the other. But these are all said to be superficial

modifications of the same specific faculties and functions. No specific organ has been omitted or added.

We are told by writers on mental science that the natural sensibilities are aroused in both by the use of the same organs; that the African and Anglo-Saxon alike experience pleasure in the mastication of food, in the inhalations of fragrant odors, in the exercise of the sense of touch, in gazing at the beauties of creation, and in listening to the melody and harmony of sounds; that the same sounds and colors, and motions, and heights, and depths, and expanses, and manifestations of power, that elevates the feelings of one to a key of grandeur or sublimity, overwhelm the other with kindred emotions. They tell us that in each they find the same specific desires, instincts, appetites and passion; that each may love, and hope, and fear, and hate—may be envious, jealous, and revengeful; that in each they discover the faculty of perception, of conception, of memory, of imagination, of belief, and of will; that each experience paternal, fraternal, and filial affection; that each experiences emotions of humanity, of patriotism, and of piety.

From this physical and mental analysis, it will be perceived that each organ may be weaker in one race than in the other; but that in other respects they do not materially differ. The anatomy of one is the anatomy of the other; the mental science that describes the laws of mind of the one delineates the spiritual nature of the other; the moral philosophy that analyzes the moral emotions of the one, reveals the moral fac-

ulties of the other. All the laws of health and culture applicable to the one are applicable to the other. The same physician that prescribes for the African slave in his hovel, on a bed of straw, prescribes with equal success for his master, in a stately mansion, on a couch of down. The same minister of righteousness who soothes the sorrows, and assuages the griefs, and energizes the hopes of the slave, when the shadows of death hover around him, administers, with equal success, the consolations of the same Gospel to the man of whiter skin.

The manifest inferiority of the African to the Anglo-Saxon does not consist in a generic or specific difference. It is that kind of inferiority which doubtless the enlightened statesman would expect to find among the descendants of those who had been doomed to absolute servitude from time immemorial. His body is less symmetrical; his face less beautiful; his appeties, passions, instincts, and desires, less manageable; his perceptions less acute; his perceptions less clear; his memory, consciousness, belief, powers of reasoning and will, more feeble; his love of parents, of offspring, of man, of country, of truth, of honor, of justice, of God, less reliable. But is any one of these absent? If so, what element of manhood has been omitted? None; not one! "But if he is inferior to the white man in this sense"—if his body is weak, his mind feeble, his moral sensibilities obtuse—does that confer the right on the man of strong body—of vigorous intellect, and of acute moral sensibilities to seize, overawe, and enslave him? Is it might that determines the

right? Because you have the power, may you of right enslave your fellow men? Is this the voice of northern gallantry and southern chivalry!

It might do for Louis Napoleon, as he sits on a usurped throne, to claim the right, because he has the power to control the destinies of other men. It might do for Alexander, the Czar of Russia, as he sits enthroned where the old Wizard of the North spirited the liberties of Europe, to make might the measure of right. But will it do for the American Senate to indorse and defend this doctrine of tyrants, discarded by our fathers—to place this country, in the eyes of the civilized nations, on the platform of the despots of the Old World, which has so long been the object of our ridicule and scorn? If not, you must return to the doctrine of the fathers of the Republic, and defend the weak against the aggressor of the resolute and powerful. It will not do to deny the privileges of freedom to all who are your inferiors in physical, mental and moral strength. Adopt this doctrine, and the Anglo-Saxon must proceed to enslave the world; for he is now, doubtless, the strongest race on the globe.

This treatment of the subject did not meet with general approbation, and his colleague, Mr. Jones, replied to him with some contrary statements.

Mr. President:—In the discussion of the question of the equality of races, which my colleague, I believe, has been the first to introduce to the notice of the Senate, he seems to have volun-

teered his aid to our political Abolitionists with an alacrity which indicates his consciousness of great powers to defend his position. Without inquiring into the propriety or necessity of the discussion, at this time and in this place, I shall endeavor to show that there are established facts which prove the unsoundness of his views; but in doing so, I can not avoid feeling a kind of embarrassment produced by a comparison, unfavorable to myself, of the profound scientific, theological, and legal attainments of my colleague, with my own humble pretensions. It is known to the Senate that I am a plain, practical man, and have passed my public life here in practical legislation, entertaining and encouraging no doctrines nor opinions which are revolting to the instincts of honest common sense, or opposed to those deductions which are drawn from the truth of history. I must then oppose this common sense and those deductions, to my colleague's scientific, theological and legal researches.

In my limited historical reading I have failed to find any fact to sustain the opinions and belief of my colleague, that the negro race are created equal in powers of mind with the white. More than a thousand years ago, before our barbarian ancestors received an impulse towards civilization by contact with the Romans, the negro of Africa had had the advantage of observing the most advanced and refined nations which then existed. He saw the learning and genius of Egypt, the refinement of Persia, the wisdom and glory of Greece and of Rome, long before the barbarous tribes of Britain, our ancestors

emerged from their darkness by aid of the light which was held up to them by the new born on the banks of the Tiber. For a time extending further back than is noted upon the historic page, the negro has beheld the light of civilization—but he has not followed it; and in his native land, the tribes who have given slaves to Europe, and America, are now what they have ever been. It would seem, indeed, that these tribes are the veritable descendants of Ham, cursed in his son Canaan by the Almighty, driven out from the presence of his father with the vengeance of God marked upon his brow and doomed to be the servant of servants forever. Mr. President, it is a truth that nature, in the munificence of her economy, withholds nothing from her children needful to their welfare; and we find that she has not bestowed upon the negro race a solitary historical character—not one. That race have had no poet to perpetuate their history—they have no history. The Greek, the Roman, the English, and many other nations, whose history can be traced back to barbarism and idolatry, have given to the world poets, statesmen, moralists, philosophers, mechanics, and inventors, whose labors are immortal. The black tribes of Africa have given nothing useful nor brilliant to the mental mind—and to this day they are the same stupid idolators that they were found to be when first visited by the Christian missionary; worshipping leaks, onions, snakes, and filthy insects, and looking upon the ourang-outang as the Jupiter of their lesser deities. The race has no history, except that of the providence of God,

written by his servants, marking it out as the victim upon which the nations of the earth have alternately glutted their revenge and satiated their thirst for gain. At this time they are in a state of deeper degradation than any of the heathen nations of the earth. Without even the instincts of decency, they wander ungoverned, naked, and as filthy in their persons as the brute.

This has been, as is now, their condition in their native country; and all efforts of Christianity for their benefit and enlightment have been abortive. No individuals of the race have advanced a single step from their degradation and darkness except those who were placed in the condition now occupied by them in the Southern States. Here the gospel of Christ is elevating his hopes and illuminating his soul. Thus much for the history of the race as I have read it.

My colleague having convinced himself of the mental equality of the negro and white man, appeals to the obligations of Christianity to protect the slave in his weakness.

XIII.

CHARLES SUMNER: ANTI-SLAVERY LEADER.

The chief aim of Henry Wilson was the overthrow of slavery, and as one of the leaders of the North, he waged continual war upon the pro-slavery power. His colleague, Charles Sumner, at his side, fought fearlessly, unrelentingly. These two were the acknowledged captains of abolition.

Classic Charles Sumner would have been far better pleased had he been left to his delightful studies, instead of being thrust into the savage fight in the United States Senate; but the State of Massachusetts demanded that he, with his masterful talents, should have a voice in the councils of the nation.

Born at Boston (in 1811) of most excellent family; and graduated from Harvard, where he entered at the age of fifteen, and where he excelled in the classics and oratory, he was a splendid representative of the conservative old commonwealth.

After graduation, he had pursued the study of law, and then to complete his education with higher polish, he had spent some time in France attending lectures by the most noted *savants.*

In Faneuil Hall, Boston, at a public meeting called to protest against the Fugitive Slave bill of 1850, he delivered an oration that was the most glowing, the most masterly, he had ever made. He described a famous painting by Tintoretto.

"There is a legend of the Church still living on the admired canvass of a Venetian artist, that Saint Mark, descending from the skies with headlong fury into the public square, broke the manacles of a slave in the very presence of the judge who decreed his fate. This is known as 'the Miracle of the Slave,' and grandly has art illumined the scene. Should Massachusetts hereafter in an evil hour be desecrated by any such decree, may the good Evangelist once more descend with valiant arm to break the manacles of the slave."

The striking grace of the figure won the public heart, and Mr. Sumner always afterwards referred to it as the speech that made him senator. A copy of this painting used to hang upon the wall of the dining-room in his Washington home.

His speeches were always prepared with great care, for he was not a ready debater. While he presented his side of an argument with force, he polished and repolished every sentence beforehand. The boldness of his words drew forth much applause. One afternoon while he was making one of his sharp attacks, Mr. Douglas walking up and down behind the Vice-President's desk, remarked to a friend: "Do you hear that man? He may be a fool, but I tell you that man

has pluck. I wonder whether he knows himself what he is doing? I am not sure whether I should have the courage to say those things to the men who are scowling around him."

Slightly over six feet in height, with broad figure and graceful bearing, Mr. Sumner was prepossessing to a degree. His features, like his nature, were classical; he wore no beard, excepting a slight growth of side-whiskers; and his hair grew in masses over a handsome forehead. This graphic sketch of the man must suffice here; his distinguished character is well known among American readers.

On May 19 and 20, 1856, after the debate on the Kansas bill had been opened, he delivered his speech, which became famous as "The Crime Against Kansas." The correspondent of the New York *Evening Post,* described it thus: "There is but one opinion among all competent judges as to the unexampled feast of eloquence which has been enjoyed in the Senate for the past two days, from the lips of Senator Sumner. . . . He has exhibited the most signal combination of oratorical splendors, which, in the opinion of a veteran senator, has ever been witnessed in that Hall. . . . Not only were the galleries thronged to their utmost capacities with ladies and gentlemen, but all the doorways blocked up with listeners who hung in breathless suspense upon his eloquence." . . .

The speech, in part:

Mr. President:—You are now called to redress a great wrong. Seldom in the history of nations is such a question presented. . . .

CHARLES SUMNER

th

Yes, sir, when the whole world, alike Christian and Turk, is rising to condemn this wrong, making it a hissing to the nations, here in our Republic, force—ay, sir, force—is openly employed in compelling Kansas to this pollution, and all for the sake of political power. There is the simple fact, which you will vainly attempt to deny, but which in itself presents an essential wickedness that makes other public crimes seem like public virtues.

In opening this great matter, I am not insensible to the austere demands of the occasion; but the dependence of the crimes against Kansas upon the slave power is so peculiar and important that I trust to be pardoned while I impress it by an illustration which to some may seem trivial. It is related in northern mythology, that the God of Force, visiting an enchanted region, was challenged by his royal entertainer to what seemed a humble feat of strength—merely—Sir, to lift a cat from the ground. The God smiled at the challenge and calmly placing his hand under the belly of the animal with superhuman strength strove, while the back of the feline monster arched far upwards even beyond reach, and one paw actually forsook the earth, when at last the discomfitted divinity desisted; but he was little surprised at his defeat, when he learned that this creature, which seemed to be a cat, was not merely a cat, but that it belonged to, and was a part of the great Terrestrial Serpent which in its innumerable folds encircled the whole globe. Even so the creature whose paws are now fastened upon Kansas, whatever it may seem to

be, constitutes in reality part of the slave power, with it loathsome folds now coiled about the whole land. Thus do I exhibit the extent of the whole contest, where we encounter not merely local resistance, but alas the unconquered sustaining arm behind. But from the vastness of the crime attempted, with all its woe and shame, I derive well-founded assurance of commensurate effort by the aroused masses of the country, determined not only to vindicate right against wrong, but to redeem the Republic from the thraldom of that oligarchy which prompts, directs, and concentrates the distant wrong.

Such is the crime and such the criminal which it is my duty to expose; and, by the blessing of God, this duty shall be done completely to the end. But this will not be enough. The apologies which, with strange hardihood, are offered for the crime must be torn away, so that it shall stand forth without a single rag or a fig-leaf to cover its vileness. And, finally the true remedy must be shown. The subject is complex in relations, as it is transcendent in importance; and yet, if I am honored by your attention I hope to present it clearly in all its parts, while I conduct you to the inevitable conclusion that Kansas must be admitted at once, with her present constitution, as a state of this Union, and give a new star to the blue field of our National Flag. And here I derive satisfaction from the thought, that the cause is so strong in itself as to bear even the infirmities of its advocates; nor can it require anything beyond that simplicity of treatment and moderation of manner which I desire to cultivate.

Its true character is such that, like Hercules, it will conquer just so soon as it is recognized.

My task will be divided under three different heads: first, The Crime Against Kansas, in its origin and extent; secondly, The Apologies for the Crime; and thirdly, The True Remedy.

Before entering upon the argument, I must say something of a general character, particularly in response to what has fallen from senators who have raised themselves to eminence on this floor in championship of human wrong: I mean the Senator from South Carolina (Mr. Butler) and the Senator from Illinois (Mr. Douglas), who, though unlike as Don Quixote and Sancho Panza, yet, like this couple, sally forth together in the same adventure. I regret much to miss the elder Senator from his seat; but the cause against which he has run a tilt, with such ebbulition of animosity, demands that the opportunity of exposing him should not be lost; and it is for the cause that I speak. The Senator from South Carolina has read many books of chivalry, and believes himself a chivalrous knight, with sentiments of honor and courage. Of course he has chosen a mistress to whom he has made his vows, and who, though ugly to others, is always lovely to him,—though polluted in the sight of the world, is chaste in his sight: I mean the harlot slavery. For her his tongue is always profuse in words. Let her be impeached in character, or any proposition be made to shut her out from the extension of her wantonness, and no extravagance of manner or hardihood of assertion is

then too great for this senator. The frenzy of Don Quixote in behalf of his wench Dulcinea del Toboso is all surpassed.

The asserted rights of slavery, which shock equality of all kinds, are cloaked by a fantastic claim of equality. If the slave States cannot enjoy what, in mockery of the great fathers of the Republic, he misnames equality under the Constitution—in other words, the full power in the National Territories to compel fellow-men to unpaid toil, to separate husband and wife, and to sell little children at the auction-block—then, sir, the chivalric Senator will conduct the State of South Carolina out of the Union! Heroic knight! Exalted Senator! A second Moses come for a second exodus! . . . The Senator dreams that he can subdue the North. He disclaims the open threat, but his conduct implies it. How little that Senator knows himself or the strength of the cause which he persecutes! He is but mortal man; against him is immortal principle. With finite power he wrestles with the infinite, and he must fall. Against him are stronger battalions than any marshalled by mortal arm,—the inborn, ineradicable, invincible sentiments of the human heart; against him is Nature with all her subtle forces; against him is God. Let him try to subdue these.

Passing from things which, though touching the very heart of the discussion, are yet preliminary, I press at once to the main point.

. . . . . .

The men who strive to bring back the Government to its original policy, when Freedom and

not Slavery was national, while Slavery and not Freedom was sectional, he arraigns as sectional. This will not do. It involves too great a perversion of terms. I tell that Senator that it is to himself, and to the 'organization' of which he is the 'committed advocate,' that this epithet belongs. I now fasten it upon them. For myself I care little for names; but, since the question is raised here, I affirm that the Republican party of the Union is in no just sense *sectional,* but, more than any other party *national,*—and it goes forth to dislodge from the high places that tyrannical sectionalism of which the Senator from South Carolina is one of the maddest zealots. . . .

In closing the exposition of the crime, he said:

Slavery stands erect, clanking its chains on the Territory of Kansas, surrounded by a code of death, and trampling upon all cherished liberties, whether of speech, the press, the bar, the trial by jury, or the electoral franchise. And, sir, all this is done, not merely to introduce a wrong which in itself is a denial of all rights, and in dread of which mothers have taken the lives of their offspring—not merely, as is sometimes said, to protect slavery in Missouri, since it is futile for this State to complain of Freedom on the side of Kansas, when Freedom exists without complaint on the side of Iowa, and also on the side of Illinois—but it is done for the sake of political power, in order to bring two new slaveholding Senators upon this floor, and thus to fortify in the National Government the desperate chances

of a wrong oligarchy. As the gallant ship voyaging on pleasant summer seas, is assailed by a pirate crew, and plundered of its doubloons and dollars, so is this beautiful Territory now assailed in peace and prosperity, and robbed of its political power for the sake of slavery. Even now the black flag of the land pirates of Missouri waves at the mast-head; in their laws you hear the pirate yell and see the flash of the pirate knife; while incredible to relate, the President, gathering the slave power at his back, testifies a pirate sympathy.

"Emerging from all the blackness of this crime, where we seem to have been lost, as in a savage wood, and turning our backs upon it, as upon desolation and death, from which, while others have suffered, we have escaped, I come now to the apologies which the crime has found. Sir, well may you start at the suggestion, that such a series of wrongs, so clearly proved by various testimony, so openly confessed by the wrong-doers, and so widely recognized throughout the country, should find apologists. But partisan spirit, now, as in other days, hesitates at nothing. Great crimes of history have never been without apologies The massacre of St. Bartholomew, which you now instinctively condemn, was at the time applauded in high quarters.

. . . . . .

As it concerns the events that followed the speech, another passage referring to Senator Butler, is quoted:

"With regret I come again upon the Senator from South Carolina, (Mr. Butler), who omni-

present in this debate, overflowed with rage at the simple suggestion that Kansas had applied for admission as a State; and with incoherent phrases, discharged the loose expectoration of his speech now upon her representative and then upon her people. There was no extravagance of the ancient Parliamentary debate which he did not repeat; nor was there any possible deviation from truth which he did not make with so much of passion, I am glad to add as to save him from the suspicion of intentional aberration. But the Senator touches nothing which he does not disfigure—with error sometimes of principle, sometimes of fact. He shows an incapacity of accuracy, whether in stating the Constitution or in stating the law, whether in the details of statistics or the deversion of scholarship. He cannot ope his mouth, but out there flies a blunder.

Were the whole history of South Carolina blotted out of existence, from its very beginning down to the day of the last election of the Senator to his present seat on this floor, civilization would lose—I do not say how little, but surely less than it has already gained by the example of Kansas in that valiant struggle against oppression, and in the development of a new science of emigration. . . . Throughout this infant Territory there is more of educated talent, in proportion to its inhabitants, than in his vaunted State. Ah, sir, I tell the Senator, that Kansas, welcomed as a Free state, 'a ministering angel shall be to the Republic, when South Carolina, in the cloak of darkness which she hugs, 'lies howling.' . . . In the name of the Constitution outraged, of the

Laws trampled down, of Justice banished, of Humanity degraded, of Peace destroyed, of Freedom crushed to earth—and in the name of the Heavenly Father, whose service is perfact Freedom, I make this last appeal.

Whittier, the revered poet, among others, wrote to Mr. Sumner congratulating him. His letter ran thus—

> I have read and re-read thy speech, and I look upon it as thy best. A grand and terrible philippic, worthy of the great occasion; the severe and awful truth which the sharp agony of the crisis demanded. It is enough for immortality. So far as thy own reputation is concerned, nothing more is needed. But this is of small importance. We cannot see as yet the entire results of that speech, but everything now indicates that it has *saved the country.*

One answer to these attacks was made by the "Little Giant," who arose to the occasion well equipped, more though with derision than with choler.

Mr. Douglas: I shall not detain the Senate by a detailed reply to the speech of the Senator from Massachusetts. Indeed, I should not deem it necessary to say one, but for the personalities in which he has indulged, evincing a depth of malignity that issued from every sentence, making it a matter of self respect with me to repel the assaults which have been made. As to the

argument, we have heard it all before. Not a position, not a fact, not an argument has he used, which has not been employed on the same side of the Chamber this year, and replied to by me twice. I shall not follow him, therefore, because it would only be repeating the same answer which I have twice before given each of his positions. He seems to get up a speech, as in Yankee land they get up a bed quilt. They take all the old calico dresses of various colors, that have been in the house from the days of their grandmothers, and invite the young ladies of the neighborhood in the afternoon and the young men to meet them at a dance in the evening. They cut up these pieces of old dresses and make pretty figures, and boast of what beautiful ornamental work they have made, although there was not a new piece of new material in the whole quilt. (Laughter.) Thus it is with the speech which we have had rehearsed here to-day in regard to matters of fact, matters of law, and matters of argument—everything but the personal assaults and malignity. I beg pardon; there is another point. We have had another dish of the classics served up—classic allusions, each one only distinguished for its lasciviousness and obscenity—each are drawn from those portions of the classics which all decent professors in respectable colleges cause to be suppressed, as unfit for decent young men to read. Sir, I cannot repeat those obscene vulgar terms which have been used at least a hundred times in that speech. It seems that his studies of classics have all been in

those haunts where ladies cannot go, where gentlemen never read Latin. (Laughter.) I have no disposition to follow him in that part of his speech.

XIV.

ASSAULT ON SUMNER.

Three days later, on May 23, Mr. Sumner sat at his desk shortly after the adjournment of the Senate, busy with some correspondence. As I recollect the incident, Representative Preston Brooks, who was the nephew of Senator Butler, came into the chamber by the front entrance and immediately went to Mr. Sumner's seat, which was one or two to the left, in the back row. No attention was paid to Mr. Brooks, I am sure, as visitors from the House came in frequently and roved about on the Senate floor; but in a few minutes loud talking was heard, and Mr. Sumner was seen to rise, while Mr. Brooks struck him over the head with a cane, the cane breaking into pieces. The Senator attempted to shield himself with his hands, but directly uttered a cry of distress, which brought several persons to his rescue. Mr. Sumner laid apparently senseless on the floor. In attempting to rise, the desk was wrenched from its fastenings. The greatest excitement followed, and all business was for some days practically suspended.

Mr. Wilson, provoked almost beyond utterance,

called the attention of the Senate to the brutal assault upon his colleague. in these words:

Mr. President. The seat of my colleague is vacant to-day. The seat is vacant to-day for the first time during five years of public service. Yesterday after a touching tribute to the memory of a deceased member of the House of Representatives, the Senate adjourned. My colleague remained in his seat busily engaged in his public duties. While thus engaged, with pen in hand, and in a position which rendered him utterly incapable of protecting or defending himself, Mr. Preston S. Brooks, a member of the House of Representatives approached his desk unobserved, and abruptly addressed him. Before he had time to utter a single word in reply, he received a stunning blow upon the head from a cane in the hands of Mr. Brooks, which made him blind and almost unconscious. Endeavoring, however, to protect himself, in rising from his chair his desk was overthrown, and while in that condition, he was beaten upon the head by repeated blows, until he sank upon the floor of the Senate exhausted, unconscious, and covered with his own blood. He was taken from this chamber to the anteroom, his wounds were dressed, and then by friends he was carried to his home and placed upon his bed. He is unable to be with us to-day to perform the duties that belong to him as a member of this body. Sir, to assail a member of the Senate, out of this chamber, for words spoken in debate is a grave offence, not only against the rights of the Senator, but the Constitutional privileges of this House; but, sir, to come into this

chamber and assault a member in his seat until he falls exhausted and senseless on this floor, is an offence requiring the prompt and decisive action of the Senate. Senators, I have called your attention to this transaction. I submit no motion, I leave it to the older Senators, whose character —whose position in this body, and before the country, eminently fit them for the task of devising measures to redress the wrongs of a member of this body, and to vindicate the honor and dignity of the Senate."

On motion of Senator Seward, of New York, the following resolution, after being amended, was passed as follows:

"*Resolved.* That a committee of five be elected by the Senate to inquire into the circumstances attending the assault on the person of the Hon. Charles Sumner, a member of the Senate, in the Senate chamber yesterday; and that said committee be instructed to report a statement of the facts, together with their opinion thereon to the Senate."

The *Baltimore Sun,* of May 27, published the testimony of Mr. Sumner in the investigation of the assault, which implicated certain Senators, who immediately upon seeing it in print, took occasion to publicly deny what Mr. Sumner had said.

Mr. Slidell. (La.) If the Senate will indulge me for a moment, I wish to make a personal explanation. I find in the *Baltimore Sun* of this morning, a statement which purports to have been the testimony given by Mr. Sumner before a committee of investigators of the House of

Representatives, and which contains some matters that concern me. I am not disposed to attribute what Mr. Sumner has said to any deliberate intention to create a false impression in the public mind, but such must be the inference from the passage in the testimony of Mr. Sumner, to which I now beg leave to call the attention of the Senate; and I will simply explain my own position in the matter, without making any comments on Mr. Sumner's course. It is unnecessary for me to read the introductory part of this testimony. Mr. Sumner says, speaking of having received blows from Mr. Brooks:

Other persons were about me, offering friendly assistance; but I did not recognize any of them, others were at a distance, looking on, and offering no assistance, of whom I recognized only Mr. Douglas, of Illinois; Mr. Toombs, of Georgia, and I thought also my assailant standing between them. I was helped from the floor, and conducted into the lobby of the Senate where I was placed upon a sofa. Of those who helped me there I have no recollection.

As I entered the lobby I recognized Mr. Slidell, of Louisiana, who retreated; but I recognized no one else until I felt a friendly grasp of the hand which seemed to come from Mr. Campbell, of Ohio (H.R.).

The two other Senators who are mentioned in the same connection can explain their own positions. As regards, however, my friend from Illinois, I am enabled to speak, while defending myself from the imputation conveyed by this

statement, I am enabled to speak with great certainty of his position in the matter.

The Senate will recollect that we adjourned at an early hour on that day. I went into the ante-room where I found my friend from Illinois (Mr. Douglas), Governor Fitzpatrick, of Alabama, and Mr. J. Glancy Jones, of Pennsylvania, in conversation. They were seated. I approached them and asked them if they were engaged in any particular or private conversation. On receiving a negative response, I sat down and joined them in conversation. We had been there some minutes—I think we were alone in the ante-room—when a person (if I recollect aright, it was Mr. Jones, a messenger of the Senate) rushed in apparently in great trepidation, and said that somebody was beating Mr. Sumner. We heard this remark without any emotion; for my own part I confess I felt none. I am not disposed to participate in broils of any kind. I remained very quietly in my seat; the above gentlemen did the same; we did not move. A minute or two afterwards another person passed through the Chamber and said that Mr. Sumner had been very badly beaten. . . . Hearing that the affray was over, and hearing that Mr. Brooks was concerned in the matter, I felt a little more interest for I had really supposed that it was some ordinary scuffle. I did not know from what cause it originated and was not disposed to meddle in it. I then came into the Senate Chamber, passing through the side door at the back of my seat. I found, I think, at least sixty or seventy people on the floor of the Senate Chamber—perhaps more. A

crowd surrounded the second chair on the other side of the lobby, and I was told that Mr. Sumner was there extended in a state of insensibility, prostrate on the floor. . . . I was approaching the door of the reception room with a view of passing out and going home, having no longer any inducement to remain in the Senate, when I met Mr. Sumner in the doorway of the reception room, leaning on two persons whom I did not recognize. His face was covered with blood. I am not particularly fond of scenes of any sort. I have no association or relations of any kind with Mr. Sumner; I have not spoken to him for two years. I did not think it necessary to express my sympathy or make any advances toward him. If I had continued I should have crossed his path, and interrupted his progress to a sofa; he was evidently faint and weak. I very naturally turned in another direction; and, instead of passing through the ante-room, entered the Senate Chamber in this direction (through the side door). I have stated very briefly my connection with this matter."

Mr. Douglas: Mr. President, I deem it my duty to submit a statement. A moment or two before the Senate adjourned on that day, my colleague in the other House, Colonel Richardson, sent for me to hold a conversation in the reception room. He came to the door of the Senate Chamber, and I went to the reception room, and sat a considerable time with him. . . . As Colonel Richardson arose to leave, I started to go with him, when Governor Fitzpatrick, of Alabama, and Mr. J. Glancy Jones, of Pennsylvania,

who were sitting on a settee at the other end of the reception room, called me to them. . . . Mr. Slidell came in, as he states, and while we were talking there, one of the messengers rushed through, and remarked as he passed, that somebody was beating Mr. Sumner. I arose involuntarily to my feet. My first impression was to come into the Senate Chamber and help to put an end to the affray, if I could; but it occurred to my mind in an instant, that my relations with Mr. Sumner were such that if I came into the hall, my motives would be misconstrued, perhaps, and I sat down again. . . . I remember seeing Mr. Toombs, of Georgia, sitting about where he now sits; Mr. Pearce, of Maryland, about where he now sits; Mr. Crittenden, of Kentucky, near the same place; and Judge Evans, of South Carolina, very near where he is now sitting. They were all seated, all quiet, and I looked to see where the parties were who had been engaged in this affray. At last I observed Mr. Sumner at the side of the center aisle, his feet in the aisle, and he leaning partially against a chair. I had only a glance. I stayed there but a moment. . . . I left the Senate at the other end of the Chamber. How the idea got into Mr. Sumner's brain that I was on one side, and the Senator from Georgia on the other, with the assailant between us, is, of course, impossible for me to conceive. It is evident from that language that the purpose —or, at least, certainly the effect is, to carry the impression to the country, that I was privy to his transaction; that I was standing, aiding and

abetting the assailant in it; that I was, in fact, a participant. . . .

Mr. Toombs: Mr. President, I should not deem it at all necessary to make any statement about this affair, so far as I am concerned; but the position of the two gentlemen who are alluded to in this connection, may make it necessary for them. I was present, and have given a statement in another place, as a witness. . . . As to what Mr. Sumner says about Mr. Brooks' standing between myself and the Senator from Illinois, there is not a word of fact in it. I presume he was mistaken. . . . As for rendering Mr. Sumner any assistance, I did not do it. As to what was said, some gentlemen condemned it in Mr. Brooks; I stated to him, or to some of my own friends, probably, that I approved it.

XV.

MR. BUTLER'S DEFENSE; AND ORATION ON HIS DEATH.

A liberal mind and noble impulse were the gracious attributes of that kind old gentleman, Mr. Butler, who for many years so sufficiently stood guardian over his State's interests in the upper branch of Congress, and won credit to the South and to himself by a judicious and manly course in all public transactions wherein his ample knowledge had served the nation.

The bitter and unrelenting attack upon Mr. Butler and his State, at the subtle hands of Mr. Sumner, aroused such indignation in the South and particularly in South Carolina, that the assault was almost demanded of the nephew, and a defence by Mr. Butler, himself, on the floor of the Senate, was awaited with breathless anxiety. In most eloquent terms, he defended himself shortly after returning to Washington, in a speech delivered June 12.

Mr. Butler: Mr. President—The occasion and the subject upon which I am about to address the Senate of the United States, at this time, have been brought about by events over which I have had no control, and could have had none—events which have grown out of the commencement of a

controversy for which the Senator from Massachusetts (not now in his seat, Mr. Sumner) should be held exclusively responsible to his country and his God. He has delivered a speech the most extraordinary that has ever had utterance in any deliberative body recognizing the sanction of law and decency. When it was delivered, I was not here; and if I had been present, what I should have done it would be perfectly idle for me now to say; because no one can substitute the deliberations of a subsequent period for such as might have influenced him at another time, and under different circumstances. My impression now is that, if I had been present, I should have asked the Senator before he finished some of the paragraphs personally applicable to myself, to pause; and if he had gone on, I would have demanded of him, the next morning that he should review that speech, and retract or modify it, so as to bring it within the sphere of parliamentary propriety. If he had refused this, what I would have done I cannot say; yet I can say I would not have submitted to it. But what mode of redress I should have resorted to, I cannot tell.

When I was at my little farm enjoying myself quietly, and, as I thought, had taken refuge from the strifes and contentions of the Senate, and of politics, a message was brought to me that my kinsman had been involved in a difficulty on my account. It was so vague I did not know how to account for it. I was far from any telegraph communication. I did not wait five minutes before I left home to put myself within the reach of such information—and garbled even as that

was—as was accessible. I traveled four days continuously to Washington; and when I arrived I found the very subject under discussion which had given me such anxiety; and it has been the source of the deepest concern to my feelings ever since I heard of it, on many accounts—on account of my country, and on account of the honor and safety of my kinsman. When I arrived here I found the discussion under consideration. I went to the Senate worn down by travel; and I then gave notice, that when the resolution from Massachusetts should be presented, I would speak to them as coming from a Commonwealth whose history, and whose lessons of history, had inspired me with the very highest admiration —I would speak to them from a respect to a Commonwealth, whilst, perhaps, the Senator who had been the cause of their introduction ought not to deserve my notice, and would not have received it. . . .

Further on, Mr. Butler said:

Instead of making his speech here his own, as a Senator under the obligations of the Constitution, and the highest sanctions which can influence the conduct of an honorable man—instead of making it the vehicle of high thoughts and noble emotions that would become a man and Senator, it is obvious now that he made that speech but the conduit—I will use a stronger expression—the fang, through which to express upon the public the compound poison of malignity and injustice. This is confirmed by his remarkable exordium, for, in many respects, this is the most extraordinary that has

even found its way into any book, or upon any occasion ancient or modern. I have never before heard of proem or exordium by proclamation; and yet, before the delivery of his speech, by a telegraphic proclamation to Theodore Parker, he uttered this most remarkable sentence: "Whilst you are deliberating in your meetings, I am about to pronounce the most thorough philippic that was ever heard in the Senate of the United States." This is in conformity with Mr. Parker's opinion. He was a flexible conformist invoking the spirit of Theodore Parker as his muse to sustain him in the strife, for which by his nature and talents he was not fit. Sir, it was the tribute and deference of a flexible conformist, willing to be a rhetorical fabrication to carry out and subserve the purpose of a man, as I understand, of an iron will and robust intellect; who loves controversy, and has abilities which more fit him, perhaps, for that, than for worshipping the lamb of innocence, and as the prototype of that Christ whose doctrines he has professed. To conciliate Parker, the Senator must make war upon South Carolina and myself. If he supposed he would gain lands by any attack on me because I was a "foeman worthy of his steel," I might feel complimented; but there was no such purpose. It was to pander to the prejudices of Massachusetts, or a portion of Massachusetts—for God forbid that I should say anything which is not proper of Massachusetts—to pander to a portion of Massachusetts by assailing South Carolina. Before I finish I shall say what I think, and if he were here in

his place I would make him hang his head in shame; for I will demonstrate before I conclude, that, in what he has said of South Carolina, he has aspersed the nearest and dearest comrade of his mother. Yes, sir, a degenerate son, incapable of appreciating the relations which subsisted between Massachusetts and South Carolina at a time when there was something more of peril to be encountered than exhibitions of rhetoric in the Senate of the United States; when men placed their lives and their fortunes on the issue which had been made. I will prove him a calumniator. While he has charged me with misstating history, law, and the Constitution, let me say that "he who lives in glass houses should not throw stones." I here say, and I pledge myself to it, that I will convict him, and shall demand of the Senate a verdict of guilty.

But, Mr. President, there is one result of this speech which I think may be regarded as good. He has shown as Mr. Beecher says, that he is unfit for the war of debate. He has no business to gather the glories of the Senate Chamber and fight with orators, unless he is prepared to maintain the position of an honorable combatant. Though his friends have invested him with the dress of Achilles and offered him his armor, he has shown that he is only able to fight with the weapons of Thersites, and deserved what that brawler received from the hands of the gallant Ulysses.

When the Senator from Massachusetts took his seat near me, I knew that he was a Free-soiler or Abolitionist, as it was termed; but not-

think that sometimes I did. Whatever the temptation of my resentment may be, I have passed, and shall pass, through life with one determination; If I cannot do justice, I will not do injustice to any man. I have exhibited here in debate, on more occasions than one, impatience and excitability; these are peculiarities which have followed me from the cradle. Perhaps, sometimes anger, in its ebulitions, may have found an expression from me; but, thank God, I can say it was but a transient feeling, which at the time gushed from the heart; it was a feeling which subsequently was suppressed by reason and repentance. That however, is a failing which cannot inhabit the same mind with treachery and malignity.

Now, sir, I will proceed to make my points; and I shall show that what the Senator said of myself and South Carolina was not in response to anything which I said; that he has gone outside the record to bring into the debate matters which did not legitimately belong to it by association or connection. . . . Shame! I call upon the shade of Hancock and Adams to look down and reprove a degenerate son who can thus invade the very sanctuary of the history which has given them immortality.

Do you think that, sir, by this remark I reproached the troops of New England! No, sir. When Yorktown surrendered, there was not a New England regiment there; I have a list of the troops who were present. But because I say that Southern troops and those from Pennsylvania alone engaged in these distinguished

battles, do I reproach the troops of Massachusetts? God forbid! They were under the command of Washington at the time he went to Yorktown and as was his duty, he sent them to defend the vulnerable points of New York and Boston. Now I will make a remark which I hope the Senate will remember: Notwithstanding their relative numbers compared with the pay list of New England, you may take the fighting days—if you have a mind to compute it as you would labor—you may take the fighting days during which the troops of South Carolina were engaged, and in the computation the balance will be found greatly against Massachusetts. If you have a mind to draw some other test—if you wish to test the question of sacrifice, and measure it by blood, South Carolina has poured out hogshead of blood where gallons have been poured out by Massachusetts. . . . But I do not blame Massachusetts, for as I have said, she had glory enough, and she was covered with glory enough by taking the bold stand which she did in putting the ball of revolution in motion; but when the Senator undertakes to cast reproaches on the history of South Carolina, he will have to take hard comparisons. She got bread from her comrade. The man who now reproaches South Carolina as I said a little while ago, is a degenerate son reproaching the dearest and nearest comrade of his mother. You cannot get over the errors he has committed in history; you cannot obviate the malignity with which the arrow has been shot. Whether he shot it with the reckless aim of one who had his

hand upon the bow, and directed the shaft conscious that it had been dipped in the poison of others, I know not; but I have unmasked him; I have detected and exposed the man who charges me with error, and such a proclivity to error that I cannot observe the line of truth without such deviations as to bring on the censure, not of one intentionally of falsehood, but one who, under the gust and whirlwind of passion, cannot observe the line of truth. I have detected him; I have exposed him; and now I demand of the Senate a verdict of guilty. I pause, sir.

It was nearly three years before Mr. Sumner recovered from the effects of his injuries, and when he again took his seat in the Senate, both Mr. Butler and Mr. Brooks, had passed over the bar.

On the death of Mr. Butler, several orations were made in the Senate; the context of one delivered by the silver-tongued Benjamin here following:

The feeling and eloquent tribute that has just been rendered to the memory of our departed brother, has awakened sensibilities which I fear will be jarred by anything I can hope to say; yet, sir, having been thought worthy of an invitation to join in these sad rites, I pray you for a moment's indulgence whilst I lay an

humble offering on the grave around which we are gathered.

It is literally but yesterday that the seat before me was filled by the venerable form of Carolina's senior Senator; to-day Carolina mourns his loss; the electric messenger has done its work, and the friends of his are even now mingling their griefs with ours; recalling as we are, the affecting words with which so lately he lamented, on the death of his late colleague, that the inexorable fiat had striken down the vigorous tree, and left unscathed the withered remnants of the decaying trunk.

Sad indeed have been the recent bereavements which it has pleased Providence to inflict upon the native State of him we mourn. The awe stricken heart of the nation was still throbbing heavily in unison with hers for the loss of her pre-eminent son. When on my taking my seat in this body I learned to know and love both the colleague and the almost immediate successor of John C. Calhoun. A few short years have elapsed, and where is now the beaming eye of Andrew Pickens Butler? Where his genial presence, his ringing voice, his manly bearing, his whole being stamped as it was with the seal of honor, the impress of true nobility of soul? Broken hearted at the loss of his gallant kinsman, he has sunk into the tomb; to which, with shaken frame and streaming eyes he had followed the lamented Brooks.

Hamilton, too, the chivalrous, the warm hearted, the eloquent Hamilton, sleeps beneath the deep waters of the Southern gulf. And now,

now, Evans, the erudite Judge, the honored Senator, the soul of truth, who loved justice for the sake of justice, truth for the sake of truth, he too is to be borne to the last common resting place of man; and amongst us, the place that has known him shall know him no more. This is not the time nor the place for a calm and measured analysis of those intellectual and moral qualities which won for Josiah J. Evans the proud distinction of being selected by his native State as worthy to fill the seat once occupied by Calhoun. Yet it is not alien to the feelings natural on such an occasion that affection should revert to the traits peculiarly characteristic of the deceased—and fondly seek to stamp upon the memory all that can preserve a vivid image of him who has left us forever.

XVI.

JUDGE WADE.

The name of Benjamin F. Wade, or, as some called him, "Old Ben Wade," was esteemed from one end of the land to the other, and by those who knew the man, it was ever held in affectionate regard; for he possessed those excellent qualities that make one to be valued both as friend and public servant.

His ancestor, Jonathan Wade, emigrated from Norfolk, England, and settled in Massachusetts, in 1632. Benjamin Wade was born at Springfield, in that State, in 1800. At eighteen years of age, he with some regrets, turned from the plow, with which he had labored many a day on the old farm, and struck out to seek his fortunes, like many other boys of those times. He was not afraid of hard work, having been inured to it from early boyhood, and now, wrestling with the tides of life, he faltered not at being forced to work with spade and wheelbarrow on the construction of the Erie Canal. As best he could, in spite of divers difficulties, he acquired the rudiments of the English branches of education, and later, having progressed as far West as Ashtabula County, Ohio, he took up the study of law. To pass over the years of toil and deprivation, with-

out dwelling upon any period of the chastening that was making him a man of mark, we find him at the age of thirty-eight in the United States Senate from the State of Ohio. But his ideas of negro equality with the white man, made him very unpopular for a time; however, in 1847, he came once more into public favor, his previous course having been approved, and was elected to the judiciary of the State. His successful career as a judge was closed in 1851, when he was again elected to the United States Senate.

Judge Wade was somewhat above the average in height, stout, and of dark complexion. His features were strong, almost savage, and any who had not enjoyed his friendship would have mistaken him for a cold and unfeeling man; but to the contrary he was warm-hearted and sympathetic. In the early years he had robbed many nights of their hours, pouring over his Bible, its words of light and truth being stored away in his memory; and there were many occasions when he quoted familiarly from the Book of Books.

Silent and thoughtful, his black eyes penetrating wheresoever they were turned, I remember what a fine appearance he made as President *pro-tempore* of the Senate. He never wore a finger ring or breast pin. He cared nothing for adornment. Dressed always in plain black clothes, with standing collar of the old style, immaculate in every detail, he was the picture of the true American statesman.

He withdrew from the Whigs in 1854, when he saw their Southern wing cut off and joined to

BENJAMIN F. WADE.

the Democracy. From that time forth he knew no Whig party, but was heart and soul devoted to the principles of the Republican forces, though small indeed were Republicans in number compared with the Democratic ranks. In May 1856, he arose one day saying:

"I desire on some occasion, to occupy a short time in the discussion of the Kansas question. I am not particular as to the day when I shall be heard. I have not yet spoken on the subject, but my constituents expect me to give my views upon it, and I shall therefore ask the Senate, at some suitable time, to give me an opportunity to be heard. I shall leave it, however, to the Senate to say what time will be most convenient to them. I trust that the Kansas bill is not to be rushed through with precipitate haste. It is the great question of the session. In the minds of the people of the North—and I think the same remark applies to the South—it absorbs all other questions. It is the great measure of the session, and it ought not to be acted upon with precipitation. In my judgment, we should proceed with great deliberation, and should allow every Senator an opportunity of presenting his views to the Senate and to his constituents. I hope the Senator from Illinois will not press his bill hastily. I trust that he comprehends its great importance. After the distinguished gentlemen who have spoken on this question, I do not expect to be able to shed much light upon it, but nevertheless, it will be my duty to give my views in regard to it, and I trust we shall hear the views of many others before we arrive at any conclusion.

Democratic party than if he came from a penitentiary. The love of liberty operates as a conviction for crime. It deprives him of the rights of an American citizen. He can hold no office of trust or profit under the United States, if he happens to believe that men are created equal and have certain inalienable rights, among which are life, liberty, and the pursuit of happiness. This is the degeneracy to which your Democratic party has come. I am humiliated by it; I am put beyond the pale of office. There is not one of the majority in the other House, calling themselves Republicans, who were elected by an overwhelming majority of the free people of the United States, whose Representative they are, who is not under your Democratic rule, as effectively proscribed from receiving an office at the hands of the Democratic party as though he was an inmate of a penitentiary. Why? Because he has undertaken to resist your attempt to make slavery in these United States universal and perpetual forever. These are some of the reasons why I stand here to inveigh against your institution. It has corrupted public men. It has overturned the Government. You have erected rules and principles utterly inconsistent with those of the fathers of the Republic. You know that I preach no more than the truth—nay, half the truth has not been told on this subject. I desire to reason with men; and I ask my Democratic friends of the South, do you suppose for one moment that a proud people, jealous above all things of their rights, whose fathers periled their lives to obtain those guarantees of liberty which we are defend-

ing; I ask you in sober reason, divested of all acrimony, is it reasonable to suppose that it is entirely safe to drive that class of men to the wall? Do you expect that it will be safe to deny, forever those great principles of liberty which are cherished by a majority of the people of the United States as the apple of their eye! If you do I tell you you will wake up some morning and find you have gone a step too far. The patience of our people on this subject, has been more severely tried than was that of their fathers. If those venerated sires could look down on us to-day, they would reproach us for our patient submission for so long a time."

As President *pro tempore* of the Senate, Judge Wade appointed the keeper of the restaurant. A rumor had gone about, at one time, that a change was to be made in the incumbency of that office, and the colored man then enjoying the profits of the business, approached Mr. Wade, and said: "I keep the Senate restaurant, Senator." "Oh, yes, you run the cook shop down stairs," replied Mr. Wade. "Yes, sir," with a low bow.

"Well, what can I do for you?" "I called to express the wish, sir, that when there is anything you want, sir, you will send one of the pages down stairs, and it will be furnished quick as a flash and without costing you a cent." "Oh, I don't want you to feed me. When I do I'll pay for it, like other people." Then seeming to recollect something, he continued, "But, listen. Complaint has been made to me that you don't treat

the little pages fairly or kindly, they can't get anything to eat, but expensive things. Remember, these pages are our boys, and you had better overcharge Senators who are able to pay, than those little chaps who need their wages to take home. You'll treat them differently hereafter, or I'll have you moved out of your cook shop, and put someone else in it." That was enough. We were treated differently after that.

XVII.

CONTINUED DEBATE ON KANSAS AFFAIRS.

From all sides, from all angles, and from all minds, came the outpourings of opinion in this debate. If the Senate had nothing better to do, it seemed quite ready at all times to fall back on poor Kansas. It was a wide subject, as it proved, because the consequences impending upon it were grave, and involved many questions and drew nearly all the Senate into the consideration of it. There was defeat hanging in the balance on either hand, as the contestants readily saw, defeat not only on the admission of Kansas, but defeat on the slavery issue aside from that; and it behove the most valiant knights in the lists to arm themselves cap-a-pie, for the hardest conflict of their day.

Now we turn toward Mr. Benjamin, who throws more light upon this troublesome situation. In all his speeches he displayed the skill of the trained lawyer, the foresight of the statesman, and the illumination of the——Egyptian. Although not to be regarded as a great oration, upon this occasion he spoke with some point and originality and opened new vistas to the sight.

Mr. President, This is the third time within

the short history of our republic, that its peace has been imperiled. Thrice already has the bond which binds together the different States of the Confederacy been menaced with disruption, and on each occasion the disturbing element has been the same. This Union, which, at the date of the adoption of the Constitution, was formed by one non-Slaveholding and twelve Slaveholding States, now presents an array of sixteen of the former, and only fifteen of the latter. Causes, which are too obvious to require enumeration have operated since the foundation of the Government in producing the abolition of Slavery in the northern portion of the country.

On the first of these occasions, Mr. President, in 1820, more than thirty years after the formation of the Union, the North for the first time endeavored to secure the admission of Maine into the Union, while at the same time it attempted to exclude Missouri, and that too in defiance of the provisions of the treaty of Cession of 1803, the words of which are that "the said Territory shall be admitted into the Union at the earliest possible period consistently with principles of the Federal Constitution."

The history of that controversy has been too frequently and too thoroughly discussed on this floor within the last two years to permit me to dwell upon it at any length. I must, however, be permitted to express my regret that the eminent men who had charge of the interests of the South at that time ever yielded their consent to a compromise which in my judgment is contrary to the true theory of the Constitution, irreconcilable

with a just regard to the principle of equity amongst the States, and which as a mere measure of policy, was totally inadequate to the end proposed—of securing perfect harmony upon the subject of a division between the different sections of the Confederacy of that territory which was common to all. It never answered its purposes—not for a single year. Scarcely had it been passed when it was broken by nearly every Northern State. Whenever appealed to by the South, it was scorned, derided, and repudiated. When in 1850 we proposed the extension of its principle to the territory acquired in the Mexican war our proposition was contumeliously rejected. When in 1854 we finally agreed to repeal in terms that which for more than a quarter of a century had ceased to have any active effect, it was made use of as a subject of vituperation towards the South.

We were accused of violating "plighted faith" —with very much the same regard for truth as has recently been displayed on this floor in those mendacious tales which have been brought to us about the state of affairs in Kansas.

I repeat, Mr. President, the policy of seeking for some other compromises than those which are contained in the Constitution was a mistaken policy on the part of the South.

The condition of the country this day shows the fact. I thank Heaven that the South has at length become aware of this mistake. She has no longer any compromises to offer or accept. She looks to those contained in the Constitution itself. By them she will live; to them she will

adhere; and if those provisions which are contained in it shall be violated to her wrong, then she will calmly and resolutely withdraw from a compact all the obligations of which she is expected to scrupulously to fulfill, from all the benefits of which she is ignominiously excluded.

Upon each of these occasions, long debate has taken place upon the question of the power of Congress to exclude slavery from the Territories by law. The discussion on this subject has been so full and thorough, every aspect in which it is capable of being presented has been so minutely examined, that I cannot detain the Senate by a further discussion of it. This however I will say —that all admit that the power to legislate for the Territories is nowhere given in express terms in the Constitution. It is true, sir, that the honorable Senator from New Hampshire (Mr. Hale) who opened the discussion on this subject, did say something about that power being contained in a clause of the Constitution which rests in Congress' authority to dispose of public property. The argument on that point, however, has been so often refuted, and was on the occasion so triumphantly answered by my friend from Georgia (Mr. Toombs) that it is entirely unnecessary, to advert to it any further. Sir, I propose to place this question on higher grounds than any reference to the mere text of the Constitution. I propose to seek for its true spirit; to enquire into the true theory; to look into the condition of these States when the Constitution was framed; and to see whether, from all the circumstances that surrounded the adoption of the Constitution,

it be possible that Congress can exercise the power to exclude slaves from the Territories. In connection with this subject, I desire to read a passage from the speech of the Senator from New York (Mr. Seward), who has given currency to a fallacy which is popular, which was briefly adverted to by my friend from Alabama, (Mr. Clay), and I think deserving of some more extended consideration. I read this passage from that speech:

"Slavery is an outlaw under the law of Nations. Still further, the Constitution of the United States has expressly incorporated into itself all of the laws of comity, for regulating the intercourse between independent States, which it deems proper to adopt. Whatever is forbidden expressly by the Constitution is unlawful, 'whatever is not forbidden is lawful.'

I maintain on the contrary, that the Constitution may be just as flagrantly and palpably violated by the abuse of powers expressly conceded as by the usurpation of powers expressly prohibited. This is no novel doctrine. It obtains not only under this Government; it has ever obtaind in all Governments in which Constitutions and laws are not mere empty words. Let us take up the Constitution, and examine some of its clauses in illustration of my meaning. Congress shall have power "to establish post offices and post roads."

Suppose by an increase in the number of the free States, they obtain control of the legislative and executive departments and then proceed to appropriate the money of the Government exclu-

sively for postal facilities in those States, refusing all appropriations to the others. It has power to "erect forts, magazines, and arsenals." Suppose a Northern majority to use the common fund of the Union for protecting its own coasts, and to refuse all appropriations for that purpose to the slaveholding States.

The President with the advice and consent of the Senate, "Shall have power to appoint embassadors, Judges of the Court and other public officers."

Suppose all the officers of the Government to be regularly and systematically selected from one section of the country, which might possess a preponderating power; that every judge, collector, and postmaster required for service in the South should be selected from the North.

Can any man doubt, sir, that in any of these cases, the Constitution would be as clearly and shamelessly violated by such an abuse of power as it could possibly be by the usurpation of an authority not granted?

Mr. President, quite recently across the Atlantic, in the country from which we derive most of our law and liberty, an attempt was made by the Queen to appoint to the House of Lords a single peer, with a peerage for life. The power of the Crown to appoint peers was undoubted; the Ministry advised the appointment; and yet opposition was made in the House of Lords, and the proposition was advanced, maintained, and sustained, that, although the prerogative of creating peers existed, the exercise of it, by the creation of a life peerage, was an abuse, and contrary to

the fundamental constitution of the Kingdom. The Crown yielded, and the Lords triumphed. Sir, look at your Declaration of Independence. Upon what grounds was it that its immortal author placed the right of the people of this country to assert their independence, and to declare that for the future they would hold the people of Great Britain enemies in war; in peace friends? Look at the entire list of grievances. There is scarcely one of them that is the usurpation of an unconstitutional power; every one of them is the abuse of an admitted Constitutional power. Upon that principle your Revolution rests. And, sir, it is not to-day, nor before a body like this, that those who represent Southern interest are to be told that the question is, whether a particular power is granted by the terms of the Constitution, without reference to its spirit All feel at once, sir, that the instances, which I have suggested would be gross abuses, entirely contrary to that spirit. What, then, is the principle that underlies that whole compact for our common government, and which we should all instictively feel to have been outraged by such abuses? It is, sir, the equality of the free and independent States which that instrument links together in a common bond of union—entire, absolute, complete, unqualified, equality—equality as sovereigns, equality in their rights, equality in their duties.

This was the spirit that presided over the formation of the Constitution; this is the living spirit that breathes through every line of it; this

is the object professed by it of forming "a more perfect union"

"Great were the thoughts, and strong the minds,
Of those who framed in high debate
The immortal league of love that binds
Our fair, broad empire State to State."

And now, sir when the struggle is narrowed down to a contest between the Democratic and Republican parties, I should be recreant to my trust—recreant to every principle of duty and feeling of patriotism, if I allowed my conduct to be influenced by the memory of past party ties, or past party prejudices. On that question whose paramount importance overshadows all others the Democratic platform is identical with that of the old Whig party, and in declaring my adhesion to the former, I but change name not principle. I, sir, therefore declare my purpose to join the Democratic party. I declare my intention to use the utmost efforts of my feeble abilities to insure its success. In its triumph—as triumph it assuredly will—the Constitution of my country will be secured from the dangers with which it is menaced; kind and brotherly feelings amongst the people of all sections of the Confederacy will be restored; religious intolerance will be rebuked; the equity of the States, the Keystone of the arch of the government fabric, will be preserved intact, and peace and prosperity, and happiness will smile on the land. Although coming to this determination, after long and anxious deliberation,

my own convictions alone would have sufficed to dictate my course; it would be uncandid for me not to say, that I feel encouragement from the fact that other and abler, and better men than I have taken the same view of their duty in this crisis, which my own convictions have pointed out to me. From all parts of the country, comes the cheering intelligence, that gallant, and patriotic, and highminded leaders of the old Whig party, ever faithful to the conservative principles which they have professed, are rallying to the defense of the Constitution from the attack of its fanatical assailants. On which sides soever of this Chamber I cast my eyes, I behold the men whom the Whig party ever delighted to honor, lending their courage and strength to the success of that common cause, which we together have espoused. Sir, the end is not yet; others will follow. The time will come and come very soon—sooner than they think. As the designs of the enemy become more and more developed, the patriot band will be augmented with fresh recruits. Yes, sir; let the note of alarm be sounded through the land; let the people only be informed; let them be told of the momentous crisis which is at hand; they will rise in their might, placing their heel on the head of the serpent that has glided into their Eden, they will crush it to the earth, once and forever.

The latter portion of Mr. Benjamin's speech brought Mr. Hale to his feet with some amusing remarks.

Mr. Hale: Mr. President, I do not intend to go into this legal question at all, because I en-

deavored to get the floor before either of the Senators on that point. Whenever I have occasion to quote legal authority on the subject of slavery, I shall not go to the Supreme Court of the United States which I have twice on this floor pronounced to be a citadel of slavery, for which I have been censured. I have practiced law somewhat, and I have learned this one lesson—never go into the emeny's camps for witnesses. I will abide by this lesson. But, sir, there was one remark of the Senator for Louisiana (Mr. Benjamin), to which I wish to call attention. I listened to that honorable Senator with great pleasure, as I always do, on account of his acknowledged ability, his great eloquence, his very persuasive powers, his mellifluous voice, his winning and graceful manner. All this only makes me regret that he is in a wrong position. He did, however, make to-day, one admission for which I thank him (to use his own eloquent phrase), from my heart of hearts!

When I saw members of that political communion to which he has joined himself, congratulate him, I felt that I should like to recieve such an accession. I know, that he will never be put on probation, but he will be taken in right away the first day; he will be admitted to the third degree when he gives the first tap, (laughter), there is no doubt about that. When I saw them come up and congratulate him and themselves on the occasion, as well they might, I wished to congratulate the Republican party on just such another accession.

There was one sentence which fell from his

lips for which I thank him, and for which I congratulate him; and that is a declaration and admission on the floor of the Senate, which I have labored for ten years past to establish in the hearts and minds of my northern friends. I have spent days and nights, and words and breath, before a northern constituency, to prove exactly the proposition which to-day, thank God, is admitted —that on the question of slavery, Whigs and Democrats all stand together. Sir, there has been more breath spent in northern States before the Anti-Slavery men to prove that, than—I was going to say, has been used in filling your Congressional Globe during the same time, but I know that is an extravagant comparison. (Laughter.) That has been the position I have taken year in and year out. I have seen Whigs sit and listen to it with the most complacent incredulity, saying, "We don't believe a word of it." Sir, a sort of convulsive shudder has come over their aristocratic countenance when the idea has been broached to them that they are to sit down in the same pen with the Locofocos* whom they have been abusing all their lives. There has been no

*A nickname formerly given to a member of the Democratic party; first applied in 1834, to a portion of that party which held a meeting in Tammany Hall, New York City, where there was great diversity of sentiment, the chairman leaving his seat and the lights being extinguished, with the intention of dissolving the meeting, whereupon *loco-foco* matches being produced the lights were restored and the wrangling continued.

proposition that has been advanced before our northern constituencies so abhorrent to these leaders as the fact, that, upon the great question—the only question in which politics has any sense or meaning at the present day, Whigs and Democrats are just exactly the same thing.

After the long season of speech-making on Kansas, and when the tide of ill-feeling ran high, the time was propitious for Mr. Cass and Mr. Crittenden, the oldest men in the Senate, to give fatherly advice to the "boys," and summon them to the country's relief, and imbue them with the spirit that unites States, which things were paramount to all other considerations attaching to the subject, and wherein they all seemed to have forgotten themselves.

Mr. Cass: I have heard this subject mentioned repeatedly, but I never took any notice of it before. It is said there is a difference of construction between the North and the South on the Kansas-Nebraska act. Necessarily it must be so; and if the honorable gentleman from Illinois (Mr. Trumbull) could not see that, he was not able to see very far into this millstone.

Those who believe that slavery goes to the Territories under the Constitution proprio vigore, of course believe that no power is given to the Legislature to prohibit slavery. But those who believe, as I do, that there is no such constitutional provision, believe of course, that the Territorial Legislature has the power to legislate on

this, as on any other subject. The difference does not result from the words of that bill, but from the nature of things. The North and the South construe the Constitution differently. The South consider that the Constitution gives them the right of carrying their slaves anywhere in the Territories. If they are right, you can give no power to the Territorial Legislature to interfere with them. The major part of the North believe that the Constitution secures no such rights to the South. They believe of course, that this power is given to the Legislature. I repeat to the honorable Senator from Illinois (Mr. Trumbull) there is nothing equivocal in the act. The different constructions of it result from no equivocation, of it, but from the fact that here is an important constitutional question undetermined by the Supreme Judicial authority, and in the mean time individuals in different sections of the Union put their own construction on it. We are necessarily brought to that state of things. There is no power which the Senator from Illinois can use—no words which he can put into an act of Congress, that will remove the Constitutional doubt until it is finally settled by the proper tribunal.

The Senator says that it is contended by many that the provisions of that bill have reference to the power of the people when they are establishing a State government. Why, sir, when the people are forming a State government they do not come to Congress to get power to establish their Constitution. They want no such power from you. You have no right to give it. All the

power you can exercise on that point is to bring them together; but when they are once brought together they are totally independent of you. When I refer to the principle of the Kansas-Nebraska act, I mean the great principle of the right of the people to legislate for themselves. I have never heard any man deny the right of the people of a State to allow slavery. I have heard a Senator to-day say that if a State came here with such a provision in her Constitution he would not vote to admit her; but I did not hear even him say that they had not the power to do it. I have never known a man in this broad land who denied the power of the people of any State to insert in their Constitution a provision excluding slavery. Then, that is no principle of the Kansas act. It is all idle to talk of that being the principal of that act. Sir, that is not a principal dependent on you. It belongs to the people themselves. It is a portion of their rights which you cannot take away. It is not given by this act, nor secured by this act. It exists without the act.

I say, again, that any doubts which arise upon that bill result from the nature of things. Whether you provided that what they did should be subject to the Constitution of the United States or not, always appeared to me to be perfectly immaterial for a very plain reason. If you pass a legislative act contrary to the Constitution, it is void; and it makes no difference whether or not you provide that it shall be subject to the Constitution. The insertion of those words does not

strengthen one power. It does not create or remove a doubt.

Mr. Hale: I ask the attention of the Senator from Michigan for a moment. I have heard much about the "great principal of the Kansas-Nebraska bill." The Senator from Michigan says that great principle is not that the people have the power to introduce or exclude slavery in the formation of a State Constitution. Will he be kind enough to tell me what the great principle of that bill is?

Mr. Cass: The honorable gentleman might have saved himself that question. I have already said, the great principle of that bill is the recognition of the people of a Territory to legislate for themselves over all subjects not prohibited by the Constitution. That act first embodied these words in our Statute book. That is all there is of it.

The great principal of that pact, in my opinion, is the principal which, on the 24 of December, 1622, your ancestors and mine adopted the day before they landed at Plymouth beach. As I observed the other day, it was quite a child then, but it grew up on the 4th of July, 1776, to be a man. Lord North then—the Senator from New Hampshire now—calls it squatter sovereignty, and endeavors to slur it over; but let me tell him that it is not to be beaten down by any epithet. I call it the right of man to govern himself.

Mr. Crittenden. Sir, we hear the dissolution of the Union talked about as eminently depending upon our proceedings. I am sure it is as painful to many others, as it is to me, to hear this sort of argument in terromem so frequently applied. There is no argument upon any subject of consequence nowadays, particularly if it touches the Constitution, which is very apt in our discussions, to take place, but that the weakest, as well as the most powerful arguments, are always reinforced by this sort of threat or menace of a dissolution of the Union—do this, that, or the other, and the Union will be dissolved. It is a sort of thunder of all political orders, here and elsewhere, and in this country there is more of that sort used than ever Jupiter Tonans himself possessed and used, though, perhaps, with less effect, with more freedom and upon smaller occasions a great deal than ever his thunders were. If he had used it with half the prodigality that this sort of thunder is used in our rhetoric, it would have been difficult to supply him with it. Sir, this Union is not that fragile sort of thing that is supposed by some. I have an idea that it is a very powerful, deepseated, and enduring structure with us. Who is there to destroy it? Who desires to destroy it? The greatest danger apprehended by a number, I believe, is, that the extreme sensibility of the North upon the subject of Slavery, is the feeling in the country which endangers the value as well as the perpetuity of this Union. The South is talked about as aggressive. Why, sir, the wolf might as well talk about the lamb being aggressive! You are aggressive; you

are the most powerful in numbers, the most powerful in representation, the great dominant portion of the United States. As those relative proportions are likely to be kept up, who is the most likely to be the aggressor? All that the South desires, is to possess her rights in peace. It would be a very poor policy for her, by aggression, to keep up a continual agitation on the subject of Slavery. It is in reference to that dangenerous subject that she is particularly solicitous to keep quiet, and to keep the subject quiet. She does not doubt her ability to maintain her rights in respect to it but she desires to enjoy those rights in fraternal peace with all the other parts of the Union. Gentlemen of the North think that the South desire to extend slavery; that that is a predominant feeling in their hearts. Gentlemen I can say to you in great sincerity, that you are entirely mistaken on that point. That is not the anxiety of the South. It does not occupy the thoughts of one man out of ten thousand, half a day in the year. I will tell you what is the anxiety of the South. That our fellow-citizens consider it as a reproach against the South that they hold slaves; that the North desires to refuse to them their equal and common participation in the enjoyment and settlements of public lands of the United States, which they regard as common right, and the inheritance of all that is an incident of that common right for them to go there with their slaves, as you go there with your property. This they consider to be right and equitable. If you and I own a tract of land, and you dislike slavery, and I am free to have it, can you com-

plain that I have slaves to cultivate my part of it, while you prefer white labor for yours? You will have no right to complain. But I do not intend to argue with you any question upon this subject. This Union is a thing not easily dissolved; but I grant you it may be worn into, as they say a constant attrition wears away a rock, But I do not believe that that attrition is to go on. I believe in the intelligence of the people of every quarter of this Union. Instead of exaggerating this question of slavery in Kansas, and considering it as a question which will dissolve the Union, if a man will sit down, divest himself of all excitement on the subject, and look at it, and ask himself of what consequence it is to me, and to this great Republic of thirty-one States, soon to be many more, whether Kansas is admitted as a free State or a Slave State, in that point of view it is a question of much less importance than we regard it, or as it regards any national interest.

Let the people of Kansas decide this question of slavery for themselves; let them decide it freely and fairly; let there be no invasion of their rights; allow no one to be driven from the polls; give them a fair election and that at any period of time in the future which may be thought best to suit the free expression of their will; wait until the time shall come, until the means of protection in the exercise of the right shall be seen to be sound and effectual, and until there shall be a population there competent to form a State, and competent to decide this great question. Talk about Squatter Sovereignty! If this Topeka Convention is not the most illustrious case of it

ever seen, I am mistaken. Before squatter sovereignty was confined by our own laws, and a sense of right, but here, constitution-making is to be governed by squatter sovereignty. I do not believe in it all. There is a people of the United States. That is my sovereignty. This Territory belongs to the people of the United States, and we are here to preserve and maintain that sovereignty and that dominion. The lands are ours. The people are there by our permission, and not otherwise. The people are there with such political rights as we under the Constitution, may extend to them, and no more. That is my view of that question. Sir, I have said more already than I intended to say upon the subject. I wish the Union to be preserved. I wish it to be preserved in its spirit. I wish to preserve it by the love and affection of every section of the country, not only for their constitution but for one another, and a man reproaching his fellow-citizens for holding this or that description of property, sanctioned and authorized by law. Ours is a political connection. Ours is a political compact; and that instrument settles all our rights of property and we ought to be content to abide by that compact in its spirit, and not undertake to confine it because we chose to nurture in our bosoms a particular sensibility about this, that, or the other theory in regard to property authorized by the Constitution. These things ought to be wiped away in order to give full sway for American feeling and the union of the American heart. For my single self, I, and I will say for my constituents also, we stand by the Union. That is our place—There

we stand and there we will stand. We will maintain to the last. We shall expect our rights to be respected. We desire to live in the bonds of amity as well as in the bonds of Constitutional law. The portion of the Union holding slaves is not the aggressive portion of the Union. The very statement of the case would show that it cannot be, and it is the greatest folly upon earth, a perfect fatuity, to say it. They want security. That is what they desire. They are not in the attitude of aggression. They are in the attitude of a party upon which aggression is to be made, and who may have cause to fear it. They want no controversy whatever with their fellow-citizens of any section of the Union. This is all that I have to say, the result of it all is, that the remedy proposed by the gentleman from New York is an impracticable one, it is unreasonable as I think, and ought not to be passed. It is dangerous, improper, and unreasonable, and cannot therefore be passed, but if the gentleman will, because his favored measure cannot be passed, refuse all relief to Kansas he must bear the evils upon her. She is remediless . . . and so far as regards the votes of those gentlemen who may take that position, I think they are unjustified by true policy or by a true sense of duty, however they may regard it in taking such a ground.

It was after this that Judge Clayton delivered a great speech in advocacy of compromise measures.

XVIII.

CLAYTON: SCHOLAR AND STATESMAN.

Senator Bayard (James A. Bayard of Delaware), declared that he did not believe a jury lawyer superior to Clayton had ever lived in this country. In the court-room, with his full powers exerted toward winning his case, he was grand. Personal attractiveness and intellectual endowments, counter-balanced by a tall, commanding figure and fine countenance, made him a counsel without rival, and one much sought after. He was first elected to the Senate from Delaware, in 1829, at the age of thirty-three; and was the youngest member of that body. Being a Yale graduate and a scholar of high attainments, he became an impressive speaker on the floor of the Senate, employing elegant and forceful language, delivered in an easy, graceful style. His career was distinguished throughout; his statesmanship was of international renown, and the State of Delaware bestowed upon him every honor within her gift.

President Taylor, recognizing his fitness for high place, induced him to accept the portfolio of State in his cabinet, which post he graced with pronounced ability; but upon the death of the President, Mr. Clayton retired from publice life.

Having negotiated the famous Clayton-Bulwer treaty with Great Britain, an attack upon it in the Senate in 1853, aroused the people of Delaware to such a pitch, that both houses of the Legislature met at once and returned him to his old seat, that he might meet his assailants upon equal ground. He remained a member until 1856, when he passed away quietly at his home.

With his keen sense of penetration, he foresaw the difficulties that later arose over Kansas affairs, and in July 1856, spoke upon the question and revolved it, so to speak, in the light of compromise.

Mr. Clayton: Mr. President, as I now find a large majority of the Senate present, I must be pardoned for addressing them on the topics connected with this bill. I feel deep anxiety on these subjects. I have never known a period, from the first day I entered this Hall when I thought the country is in so much danger as I believe it to be at the present moment. It is my most anxious desire to offer whatever I can to gentlemen on both sides of the Chamber, to induce them to compromise the differences between the northern and southern sections of the country. "Compromise"! Alas, sir, this day I have heard that word, which always heretofore dear to every true American statesman spoken of with contumely and contempt. I have been this day told the period for compromising is passed. Sir, if the period for compromising is passed, this Republic will soon pass away with it. The Constitution of this country itself was but a compromise. We have been told by the fathers of the country that

no one man came out of the Convention which formed the Constitution, who had not opposition to some section or clause in it. Sir, the whole world is full of compromises, and chaos would come again without them. Every law we pass is but a compromise. No man in civil society—no man even in a despotic government, has ever yet been permitted to have his own way. No man in this Nation, not even the "Father of his Country," was ever permitted to dictate his own terms in every particular in the passage of any measure in Congress or Convention. We vote every day for some measure, to some portion of which we have objections; but we vote on every proposition in view, and are governed by the consideration of the good to be derived from the whole of it. Every treaty made between two nations is but a compromise. Men could not live together in civil society, they could not associate in public or private life, without compromising every day; and if we have arrived at the determination that we will never again compromise, we may as well throw our Constitution to the winds, and consider the Republic at an end.

Sir, I hope the honorable gentlemen from New York and Massachusetts will yet take the true and only legitimate and proper view of the question which is now really before us. They say, and for the sake of the argument, though I know nothing officially of the facts, I mean now to admit, that the Legislative Assembly of Kansas was elected by the people of Missouri, they say that, out of six thousand, two hundred votes, four thousand nine hundred were from that State, and

one thousand four hundred and twenty from the Territory itself. Now grant all that, yet does it follow as a legal influence or as a fair and just one, that you must for that reason strike out of existence all the laws passed by that Legislature? You say the Legislative authority in Kansas was a rank usurpation. Grant it.

What has been the rule that has governed those ancestors from whom we have derived not only our descent, but our common law, and all those great fundamental principles upon which we have built up our own government? What has been the rule in our own country, as well as in England, in regard to laws passed by bodies usurping power, or whose power had been subverted? Go back even to the time when the Normans conquered the Saxon, and produced and entire revolution in England. When the Plantagenets ascended the throne of England, were all the Anglo-Saxon laws abolished, and swept away? Not at all. They were reformed, but their authority as laws was solemnly recognized and confirmed. The historian informs us that "the States of the Anglo-Saxon Kings, with the provincial customs, were acknowledged and repeatedly confirmed."

When the Plantagenets ceased to exist—when Richard the III. fell upon the field of Bosworth, and the Tudors came into power, did they, though they considered Richard a usurper, for that reason abolish all the laws he had made? On the contrary, did they not continue all the just laws of that and other reigns, although the government of the New King was predicted upon the

belief that the reign of Richard was a usurpation from the commencement to the close of it? Coming down, then, in the history of England to the days when the Stuarts were first driven from the throne for ursurpation and tyranny; when Charles the I. was beheaded; when Oliver Cromwell succeeded him though that government was treated as a tyranny. Yet did they abolish all the laws made during that tyranny? Take a still stronger and plainer case, and more analogous, if you choose; when Cromwell died, Charles II. succeeded him, did those who had considered the government of Cromwell as a sheer usurpation, from the beginning to the end of it, abolish all the laws passed in the days of the Protectorate? Though Cromwell was, at the time, universally denounced as a traitor and usurper, and his dead body was disinterred, suspended on a gibbet, and then buried at the foot of it, no one offered to abolish all the laws enacted during the Protectorate. And such has been the result of every revolution in England. In 1688, another revolution occurred. A more abhorred tyrant was never driven from a throne than the last of the Stuarts. Yet all the laws and ordinances of his reign were not swept away. When the American Colonies achieved their independence, their revolution was not followed by the abrogation of all laws which had been enacted during the existence of the British domination. The rule among nations and statesmen is, when laws considered salutary and useful to society have been passed by a usurper or tyrant, instead of what is now claimed, that the legitimate consequence of the usurpation or

tyranny is the abrogation of all the laws, the just consequence is, a repeal of all the unjust and oppressive laws, and a retention of all that are just and salutary. Suffer all to stand that are deemed by you for the benefit of all the public, and reform those that you consider unjust, oppressive, or inexpedient. Sir, that is the true principle by which we should be guided and governed now.

I cannot, therefore, concur with the honorable gentlemen from Massachusetts and New York in abrogating all the laws of Kansas. If they should prove by thousands of witnesses, that the Legislative Council was elected exclusively by Missourians, and that there was not a single inhabitant of Kansas at the election, still, for the good of the whole country and especially for the benefit of the people of the Territory, we must suffer those laws that are for the public good to remain. Otherwise we abandon all precedents, and disregard all the wisdom of our British ancestors and of our own fathers and leave the Territory in Anarchy.

The reader having followed the course of reminiscence to this page, it now falls upon me to speak to him between the lines. He has conscientiously pushed back the hands of the clock until they bespoke the time of our narrative; and as the characters, plaintively recalling almost forgotten days, entered upon the stage, the touch as of a magic hand seemed to bring enchantment over all the surroundings, and he began to

breathe the atmosphere of a departed age. How agreeable was that old time, when men were not so swiftly pursuing wealth as now, and more time was given to the exercise and enjoyment of things upon which lofty sentiment was built. It was an age when high value was placed upon merit whenever found, and men were chosen where now other natures force their way. So many things were different in the political arena. The party issues were clear, then, and party lines sharply drawn. There is an anecdote which illustrates how strong was the feeling down in East Tennessee. William G. Browlow, the "Fighting Parson" was a Whig, and "old Father Aiken," an eccentric Methodist preacher, a Democrat. The two attended a camp meeting; Browlow preached, and Aiken offered prayer. In the prayer Aiken besought the Lord to forgive the sins of the people, to deliver them from every evil. "O Lord," he prayed, "deliver us from Whiggery." "God, forbid!" shouted Browlow. Turning to him, Aiken said, "Billy, keep still when I am praying."

The Whig party had about dissolved in 1856. There were but two members of it in the Senate, namely, Crittenden and Bell. These two political orphans, never allied themselves to either the Democrats or Republicans.

XIX.

THE LECOMPTON SWINDLE.

One evening in March, 1858, the Senate Chamber was brilliantly illuminated, the galleries overflowed with the tide of crinoline, silk, and satin; the array of the beauty and fashion of the Capitol was of a festal order, for word had gone forth that "Douglas speaks to-night," and Douglas was the idol of the day. "The Little Giant" came in a moment or two before 7 o'clock, and proceeding to his seat was greeted by an outburst of wildest applause.

In his speech this night he was going to antagonize the President. It was a hard fight he was having with this bill, and all his energies were being put to the severest test. The constitution of Kansas which had been drafted at Lecompton, and under which the State would have entered the Union with the "shackles of slavery," had been rejected by a popular vote in the Territory, as it did not embody the will of the people. President Buchanan, following the course of his predecessor Pierce, yielded to the pro-slavery contestants, and supported this Lecompton act, which was a fraud, pure and simple.

With all the vehemence, disdain, and boldness, of his style, and all the fire of his soul, Douglas,

the Demosthenes, making the ablest effort of his life, aroused the throng that filled all available space, to continued and uncontrollable enthusiasm. After a brief review of his career in Congress, he touched upon the Compromise of 1850, then assailed the Lecompton Constitution as being contrary to the wish of the people of Kansas, and finally referred to the Executive influence brought to bear. His tones rang clear like the blast of a trumpet, and he showed no fatigue at any period. A portion of his speech follows:

"Sirs,—I do not recognize the right of the President or his Cabinet, no matter what my respect may be for them, to tell me my duty in the Senate Chamber. The President has his duty to perform under the Constitution; and he is responsible to his constituency. A Senator has his duties to perform here under the Constitution and according to his oath; and he is responsible to the Sovereign State which he represents as his constituency. A member of the House of Representatives has his duties under the Constitution and his oath; and he is responsible to the people that elected him.

The President has no more right to prescribe tests to Senators than Senators have to the President. Suppose we here should attempt to prescribe a test of faith to the President of the United States; would he not rebuke our impertinence and imprudence as subversive of the fundamental principles of the Constitution? Would he not tell us that the Constitution and his oath and his conscience were his guide; that

we must perform our duties, and he would perform his, and let each be responsible to his own constituency? Sir? Whenever the time comes that the President of the United States can change the allegiance of the Senators from the State to himself, what becomes of the Sovereignty of the States? When the time comes that a Senator is to account to the Executive and not to his State, whom does he represent? If the will of my State is one way, and the will of the President is the other, am I to be told that I must obey the Executive and betray my State, or else be branded as a traitor to the party, and be hunted down by all the newspapers that share the patronage of the Government and every man who holds a petty office in any part of my State to have the question put to him, "Are you Douglas' enemy?" if not, "your head comes off." Why? "Because he is a recreant Senator; because he chooses to follow his judgment and his conscience, and represent his State instead of obeying my executive request." I should like to know what is the use of Congress, what is the use of Senates and Houses of Representatives, when their highest duty is to obey the Executive in disregard of the wishes, rights and honor of their constituents. What despotism on earth would be equal to this, if you establish the doctrine that the Executive has a right to command the votes, the consciences, the judgments of the Senators and of the Representatives, instead of their constituents? In Old England, whose oppressions we thought intolerable, an Administration is hurled from power in an hour when

voted down by the representatives of the people on a Government measure. If the rule of Old England applied here, this Cabinet would have gone out of office when the Army bill was voted down, the other day, in the House of Representatives. There, in that monarchical country, where they have a Queen by divine right, and lords by the grace of God, and where republicanism is supposed to have but a slight foothold, the representatives of the people can check the Throne, restrain the Government and change the Ministry, and give a new direction to the policy of the Government, without being accountable to the King or the Queen. There the representatives of the people are responsible to their constituents. Across the Channel, under Louis Napoleon, it may be otherwise; yet I doubt whether it would be so boldly proclaimed there that a man is a traitor for claiming to vote according to his sense of duty, according to the will of his State, according to the interests of his constituents. . . . .

Is it seriously intended to brand every Democrat in the United States as a traitor who is opposed to the Lecompton Constitution? If so, do your friends in Pennsylvania desire any traitors to vote with them next fall? We are traitors if we vote against Lecompton; our constituents are traitors if they do not think Lecompton is right; and yet you expect those whom you call traitors to vote with and sustain you? Are you to read out of the party every man who thinks it wrong to force a constitution on a people against their will? If so, what

will be the size of the Administration party in New York? what will it be in Pennsylvania? how many will it number in Ohio, or in Indiana, or in Illinois, or in any other northern State? Surely you do not expect the support of those whom you brand as renegades! Would it not be well to allow all freemen, freedom of thought, freedom of speech, and freedom of action? Would it not be well to allow each Senator and Representative to vote according to his judgment, and perform his duty according to his own sense of his obligation to himself, and to his State, and to his God?

For my own part, Mr. President, come what may, I intend to vote, speak and act, according to my own sense of duty, so long as I hold a seat in this Chamber. I have no defense to make of my Democracy. I have no profession to make of my fidelity. I have no vindication to make of my course. Let it speak for itself.

The insinuations that I am acting with the Republicans, or Americans, has no tenor and will not drive me from my duty or propriety. It is an argument for which I have no respect. When I saw the Senator from Virginia acting with the Republicans on the neutrality laws, in support of the President, I did not feel it to be my duty to taunt him with voting with those to whom he happened to be opposed in general politics. When I saw the Senator from Georgia acting with the Republicans upon the Army bill, it did not impair my confidence in his fidelty to principle. When I see Senators here every day acting with the Republicans on various ques-

tions, it only shows me that they have independence and self-respect enough to go according to their own convictions of duty without being influenced by the course of others. I have no professions to make on any of these points. I intend to perform my duty in accordance with my own convictions. Neither the frowns of power nor the influence of patronage will change my action, or drive me from my principles. I stand firmly, immovably upon those great principles of self-government and State Sovereignty, upon which the campaign was fought and the election won. I stand by the time-honored principles of the Democratic party, illustrated by Jefferson and Jackson; those principles of State rights, of State Sovereignty, of strict construction, on which the great Democratic party has ever stood. I will stand by the Constitution of the United States, with all its compromises, and perform all my obligations under it. I will stand by the American Union as it exists under the Constitution. If standing firmly by my principles, I shall be driven into private life, it is a fate that has no terrors for me. I prefer private life, preserving my own self-respect and manhood, to abject and servile submission to executive will. I am prepared to retire. Official position has no charms for me when deprived of that freedom of thought and action which a gentleman and Senator should have.

Mr. President,—I owe an apology to the Senate for the desultory manner in which I have discussed this question. My health has been so feeble for some time past, that I have not been

able to arrange my thoughts or the order in which they should be presented. If, in the heat of debate I have expressed a sentiment which would seem to be unkind or disrespectful to any Senator, I shall regret it. While I intend to maintain, firmly and fearlessly, my own views, far be it from me to impugn the motives or question the propriety of the action of any other Senator. I take it for granted that each Senator will obey the dictates of his own conscience, and will be accountable to his constituents for the course he may think proper to pursue.

The Lecompton meeting resulted in a fraud constitution, and the State of Kansas would have become a fact by the vote of 33 as against 25, in the United States Senate; but the bill failed of passage in the House of Representatives, and therefore, it was not until later, in the year 1861, that Kansas was admitted to the Union, and then it was upon a structure excluding slavery. It was a matter of much gratification to the northern men (Republicans) that Douglas voted steadily with them against the admission of the State under the Lecompton act.

Before the question was put to a vote there was much delay, and this delay brought some very apt remarks from the witty Mr. Hale, who said:

We all know what to-morrow means legislatively. I remember when I first came into the House of Representatives a good while ago, a

motion was introduced, and some gentlemen moved to postpone it until to-morrow. It was a new member who had made the motion, and he objected. An old member sat by him, and said it was only until to-morrow. The young man gave up, and that to-morrow he did not reach for three months. The proposition here is to postpone this matter until to-morrow.

Mr. Green: Will the Senator permit me to ask him if it is in that view that he moves to postpone the Minnesota bill until to-morrow? (Laughter).

Mr. Hale: I do not move to postpone it to any particular time, but to put it aside for the purpose of deciding this question. I want to follow the organ of the Committee on Territories as far as I can with safety; and I do not know that that would be a great way. (Laughter). His zeal seemed to be to hurry up Kansas, so that Minnesota should not overtake her; now it seems that they have got Kansas along to such a place that they have concluded to put her up to the stall, and let her stand until Minnesota comes up and goes ahead. I object to it. I feel just as patriotic now as I did last Thursday. There has been no change in me; none at all. I feel just as desirous to do justice to Kansas now as I did then. If there are any reasons—any particular reasons of a public character—let them be stated; and if there are any of a private character I should like to hear them. I would not call any man to order if he should state private reasons. I would not object to any man saying something like this if he chose: "There

are some arguments that I want to address to some members of the House, that it will not do to address in open debate; and I want the thing kept open until I can have an opportunity of talking privately with some gentlemen and pressing upon their private ear some considerations which are not proper or not expedient to be addressed in open debate." We all know, or perhaps we do not all know it, but it is a fact, that it is a part of the discipline of some churches, when there is a recusant member, to go out with him privately, before they can take public steps; to give private admonition before public censure comes; and I would not object if anything of that sort were in the way; but I think we owe it to the country, we owe it to ourselves, we owe it to our reputation, to assign some plausible reason why we have got over the haste that impeded us forward last week. What new feature is there? The news of the Connecticut election, of course, has nothing to do with it—not the slightest—(Laughter). What possible object can there be in postponing, from day to day, a subject about which we were in such hot haste a little while ago? Why, sir, a few weeks ago we were in such a hurry to dispose of Kansas that we had to sit up here until morning light; until six o'clock in the morning.

Mr. Fessenden. The business was pressing at that time?

Mr. Hale. Yes, sir, public business was pressing then; and it has been pressing up to a certain point, and I should like to know where is the point, and what is the occasion? It used

to be a maxim of the old philosophers that the atmospheric pressure would sustain a hydraulic column of thirty-three feet; and it puzzled the philosophers to tell why the pressure of the atmosphere would sustain a hydraulic column of thirty-three feet and would not sustain it any higher. The reason assigned was, That Nature abhorred a vacuum, but when it got up to thirty-three feet she ceased to abhor a vacuum. (Laughter.) Now, sir, have we got to that point where we cease to abhor a vacuum in legislation?

XX.

THE ADVERSARY OF DOUGLAS.

When the news reached the Capitol that James S. Green, of Missouri, had been elected to the Senate, a Missouri representative in the House said, "'The Little Giant' will meet his match now." Green knew more law than nine-tenths of the men who came to the Senate. His speeches were bristling with legal points, and as a debater he was a foeman to be feared. He was a tall, gaunt man, rather awkward withal, with a countenance that showed him to be a thinker. He was droll in his way, and had a habit of dwelling upon the word "and" with his long finger extended, giving a peculiar emphasis to the remainder of the sentence.

He soon began the attack on Mr. Douglas, and in December, 1857, delivered a speech with a facility of argument that displayed strength and skill, equal to that of some of the best among his hearers.

Mr. Green: Mr. President, when on Wednesday last, the honorable Senator from Illinois (Mr. Douglas) addressed the Senate, I was completely taken by surprise. I was surprised not only that he should have made his remarks at that time, but I was still more surprised at

the manner and the matter of the speech. He himself stated, if I recollect correctly, that the President had made no recommendation on the subject of Kansas. It is a fact known by us all that no application on the part of Kansas was before Congress in any shape. If therefore, there was neither an Executive recommendation nor an application upon the part of Kansas wherefore should the subject have been thrust on the attention of the country? When practical action is required on the part of Senators, the views of Senators are expected to be elicited; but when neither an Executive recommendation required any practical action, nor any application on the part of Kansas had been made, it seemed to be most extraordinary that we should be compelled to engage in an abstract discussion with no reference to practical results. It is not my purpose to inquire into the motive of the honorable Senator. I am willing to concede, as I do, that it was patriotic; but I must think it very improper. It was well calculated to prejudice the question now pending before the people of Kansas.

An election is to be held on the 21st of this month, and the public mind was prepared to see the people go forward and express their preferences for and against, as the question may be presented to them; but his speech going as a counter manifesto to the just and fair message of the Executive of this Government, is well calculated, though no doubt not designed, to prejudice that question before the people of Kansas, as well as before the people of the

country. But, sir, whether the question has rightfully or wrongfully brought up for consideration, it is now before us; and justice to the Executive, justice to the question itself, justice to the people of Kansas, and justice to my own State, which cannot fail to feel a deep interest in the proper adjustment and final settlement of the question, require that I should meet, and, as far as I may be able, counteract the positions assumed by the honorable Senator from Illinois.

The honorable Senator from Illinois sets out with imputing to the President a "fundamental error." Before we can discuss we must have the issue presented. Before our arguments can have a practical bearing on the question before the Senate, it is necessary that we should understand what that question is. In what, according to the positions assumed by the Senator from Illinois, does this "fundamental error," consist? I understand him to say that the "fundamental error," into which he charged the President with having fallen, is that the President says there was no law in the Kansas-Nebraska Act, in the Constitution of the country, or in the common usages of the Government, that made it obligatory on the convention of Kansas to submit their constitution to a subsequent vote of the people. This is the imputed "fundamental error," to that point I shall direct the attention of the Senate.

It is not for me to say whether the propriety of the submission of the slave branch of that constitution to a separate vote ought to have been considered by the Executive or not. I

choose not to trace in the course of his reasoning on the subject. I choose rather to notice the conclusion at which he has arrived—a conclusion that promises a full adjustment of this whole question; that promises peace to the country; that promises satisfaction to the North, and to the South; and that promises to remove a bone of contention over which the public mind has been too much harassed for the last several years. The real practical question, then, which we have to consider is this; ought Kansas, when her Constitution shall be presented, be admitted into the Union? or ought the consideration of what the honorable Senator from Illinois calls a "fundamental error," of the President to be deemed a sufficient reason to keep Kansas out of the Union, and to keep this most unfortunate subject still agitating the public attention? This is the real issue. It is not whether we approve of parts of the Constitution of Kansas; it's not whether we think the qualification required by the Convention in framing the Constitution of Kansas, of twenty years' citizenship of the United States in order to be Governor is right. That is a subject upon which the people of Kansas alone have the right to decide.

XXI.

FAMOUS "MUD-SILL" SPEECH.

Strong sectional feeling grew apace, and northern and southern Senators were hostile to each other.

We pass to the events of the year 1858.

The haughty Mr. Hammond, of South Carolina, who represented the very pith of slaveholding aristocracy in the Southern States, delivered a remarkable speech on March 9, defining the position of the slaveholder, and his ideas concerning the relationship between people of high and low degree in the social scale. All those who labor for a living, he designated by the term "mud-sills," and this became the title of his speech, which was in part as follows:

Mr. Hammond. In all social systems there must be a class to do the mean duties, to perform the drudgery of life. That is a class requiring but a low order of intellect and but little skill. Its requisites are vigor, docility, fidelity. Such a class you must have, or you would not have that other class which leads progress, refinement, and civilization. It constitutes the very mud-sills of society and of political government; and you might as well attempt to build a house in the air, as to build either one or the other, except

on the mud-sills. Fortunately for the South, she found a race adapted to that purpose to her hand. A race inferior to herself, but eminently qualified, in temper, in vigor, in docility, in capacity to stand the climate, to answer all her purposes. We use them, for the purpose, and call them slaves. We are old-fashioned at the South yet; it is a word discarded now by ears polite; but I will not characterize that class at the North with that term; but you have it; it is there; it is everywhere; it is eternal. The Senator from New York said yesterday that the whole world had abolished slavery. Ay, the name, but not the thing; and all the powers of the earth cannot abolish it. God only can do it when he repeals the fiat, "the poor ye always have with you," for the man who lives by daily labor, and scarcely lives at that, and who has to put out his labor in the market and take the best he can get for it; in short your whole class of manual laborers, and operatives, as you call them, are slaves. The difference between us is that our slaves are hired for life and well compensated; there is no starvation, no begging, no want of employment among our people, and not too much employment either. Yours are hired by the day, not cared for, and scantily compensated, which may be proved in the most deplorable manner, at any hour, in any street in any of your large towns.

Why, sir, you meet more beggars in one day, in any single street of the city of New York. than you would meet in a life time in the whole South. Our slaves are black, of another inferior

race. The status in which we have placed them is an elevation. They are elevated from the condition in which God first created them, by being made our slaves. None of that race on the whole face of the globe can be compared with the slaves of the South, and they know it. They are happy, content, unaspiring, and utterly incapable, from intellectual degradation, ever to give us any trouble by their aspirations.

Your slaves are white, of your own race; you are brothers of one blood. They are your equals in intellect, and they feel galled by their degradation. Our slaves do not vote. We give them no political power. Yours do vote, and being the majority, they are the depositaries of all your political power. If they knew the tremendous secret, that the ballot box is stronger than an army with bayonets, and could combine, where would you be? Your society would be reconstructed, your government reconstructed, your property divided, not as they have mistakenly attempted to initiate such proceedings by meeting in parks, with arms in their hands, but by the quiet process of the ballot box. You have been making upon us to our very hearthstones. How would you like for us to send lecturers or agitators North, to teach these people this, to aid and assist in combining, and to lead them?

Mr. Wilson and others. Send them along.

Mr. Hammond. You say, send them North? There is no need of that. They are coming here. They are thundering at our doors for homesteads of one hundred and sixty acres of land for nothing, and Southern Senators are support-

ing it. Nay they are assembling, as I have said, with arms in their hands, and demanding work at $1,000 a year and six hours a day. Have you heard that the ghost of Mendosa is in the streets of your big cities; that the inquisition is at hand? There is afloat a fearful rumor that there have been consultations for vigilance committees. You know what that means already. Transient and temporary causes have thus far been your preservation. The great West has been open to your surplus population and your hordes of semi-barbarian emigrants who are crowding in year by year. They make a great movement and you call it progress. Whither? It is progress; but it is progress towards vigilance committees. The South have sustained you in a great measure. You are our factors. You bring and carry for us. One hundred and fifty million dollars of our money passes annually through your hands. Much of it sticks; all of it assists to keep your machinery together and in motion. Suppose we were to discharge; suppose we were to take our business out of your hands; we should consign you to anarchy and poverty. You complain of the rule of the South; that has been another cause that has preserved you. We have kept the Government conservative to the great purposes of the Government. We have placed her, and kept her, upon the Constitution; and that has been the cause of your peace and prosperity. The Senator from New York said that that, is about at an end; that you intend to take Government from us; that it will pass from our hands. Perhaps what he says is true; it may be; but do

XXII.

THE MEN OF MAINE.

An agricultural expert from England was walking along the rock-ribbed coast of Maine in company with a friend, a citizen of the State, when he turned about and asked: "What can you grow here? Your soil seems so rocky and sterile that no crops will thrive in it. What do you raise?" "We raise *men!*" was the ready answer.

The conversation is reported as having occurred long years ago, when Hamlin and Fessenden were senators from Maine. And taking them as examples it must be agreed that the answer to the Englishman's query, was good.

Hannibal Hamlin was a man that any State might easily have been proud to send to the Senate as a type of her citizenship, and one in whose trust her public affairs were well guarded. He was born in that State, in 1809, of Puritan stock. His grandfather was in command of minute men in the Revolution, a matter though quite in conformity with such sturdy folk as have adorned history and genealogy in New England.

In his youth, Hannibal worked on the home farm, and at the age of eighteen, his father proposed to him the study of law, which he began but discontinued before the lapse of a year, owing to his father's death. He then returned to the employment of tilling the soil, which he did for the next two years. During that time he became joint editor and proprietor with Horatio King, of a Democratic newspaper. He wrote both prose and poetry, but so much preferred the law, that he eventually sold out his interests in the paper, and entered the law offices in which Mr. Fessenden was a partner. In 1836, he began a public career, by going to the Legislature; and in 1840, was speaker of the House of Delegates. In 1843, making rapid strides toward a high goal, he was sent to Congress as a representative. Five years later he was elected to the United States Senate to fill a vacant seat, and in 1851 was re-elected for the full term. At the outset he ranked among the leaders, and very ardently opposed slavery. He was an effective speaker, and in manly tones directed stern rebukes to the slaveholders.

Although a Democrat, and acting with that party in all its policies, he would not countenance any plan for the extension of slavery in the Union. He became Governor of Maine in 1857, but resigned in a very short time to again take his old seat in the Senate, but now defending Republican principles. He was elected Vice-President, with Lincoln, his nomination on the ticket being a complete surprise to him. During the crisis of that administration, he was the

President's right hand. However that may be, we are now concerned with Hamlin as Senator, who with great pungency made reply to Mr. Hamlin's "mud-sill" speech, the text of which is here given:

Mr. President, it is my purpose upon the present occasion to confine myself principally to a reply to the suggestions which have been made by the honorable Senator from South Carolina. (Mr. Hammond.) I may, after reviewing some of the remarkable doctrines which have been presented, say something on the question which is directly before us; but it is now my object to review some of the positions which he has assumed, for the purpose of testing their accuracy or inaccuracy, and to answer some of the assaults which he has made on the people I represent. The doctrines enunciated by that Senator are remarkable. The frankness with which they were expressed is commendable. It is my purpose to speak particularly to three distinct points; first the faith of the South, and the manner in which she has kept it; second, the capacity of the South as a distinct and separate Government, as presented by the Senator from South Carolina; and third the character of the people whom I represent—the laboring masses of the North. I may say incidentally something in relation to some other points which he suggested, but to these three points I propose mainly to confine myself. These points I propose to discuss, though I may not do so in the order in which I have named them.

First as to the faith of the South, I will not

stop to quote the Senator's language; but he asserts broadly that the North have informally violated their faith, but that we may rely with unlimited confidence upon the unbroken faith of the South. I have no answer to his allegations as to the faith of the North. When he shall make his specifications I will give the answer that justice shall demand. On what point have we at the North been faithless to our Constitutional obligations? Upon what point have we at the North been faithless to the South? Sir, when I speak of the South, I am only using the term the Senator from South Carolina has placed in my mouth. In my heart, I know no North, no South, no East, no West. We are the people of one common country. Whatever relates to the prosperity and the welfare, whatever pertains to the rights of the South, as an American citizen, as an American Senator, I stand here to vindicate and maintain. What are their rights are my rights. What belongs to them belongs to me, as a citizen of a common country. But the Senator from South Carolina has seen fit in the course of the argument which he has pursued to arraign the North for the want of fidelity, and has vaunted here the unbroken plighted faith of the South. I ask again, in what have we violated our constitutional obligations? I tell you, sir, you mistake us. We regard our country as a whole. We are willing to stand by it as a whole; nay, in the Union, we mean to stand by it as a whole.

You can neither drive us out of it, *nor shall you go!*

But sir, to proceed to the consideration of the

points which I make. The facts of history show to my mind conclusively, that while we have been a Union, the faith of the South, of which the Senator from South Carolina so vauntedly boasted, has hardly been kept. I would not pursue this line of argument but for the manner in which the allegation was made.

No single instance in which we of the North have violated our constitutional obligation has been cited. I think, in the absence of any specifications, I may clearly come to the conclusion that none can be successfully made. I hardly know what the Senator means by Southern faith. I am therefore left to grope my way, and draw my own conclusions.

. . . . . .

I pass, now, to the discussion of another position which he has assumed. He told us, "the poor ye always have with you." That is true; there is no denial of the fact. There is, however, another maxim of the same good book, which he might have quoted with just as much propriety, and just as great truth: "Do ye unto others as ye would that others should do unto you, for this is the law and the prophets." Does poverty imply crime? Does poverty imply servitude? Does poverty imply slavery? I join issue with the Senator there. In all climes, in all countries, and in all ages there are poor. Because men are poor, does that imply that they are to be placed on the same basis with persons who are subjugated, and who toil in the chains of slavery. I deny it. There is a prompting of the heart, there is a principle of Christian

benevolence, that tells you, and tells me, and tells us all, that if there are poor, it is our duty to alleviate their poverty and to remove their distress—not, because they are poor, to class them in the same condition with negro slaves! I grant that poverty necessarily produces a great degree of dependence of the poor upon other classes, than would exist in another state of circumstances; but because a man is poor, does that discharge you from the obligations which you owe to him as a fellow citizen? Because he is poor does that relieve you from the obligation which you owe to him as a citizen of the community and as a Christian? Surely not; and that dependence does not create slavery. Look over the world and you find that poverty, is produced from a variety of circumstances. It may be misfortune; generally, I think by improvidence. It may be by devasting elements. It may be by causes over which the individual has no control. No matter what are the causes, if they operate on the individual he is entitled to your sympathies and to your Christian benevolence; and God forbid that you should class him with the slave that toils only to live, and lives only to toil. It may be sir, that the influence of slavery is calculated, if not designed to produce that state of things; but if its tendencies are to produce that state of things, still to place the poor on the same basis with the negro slave, who does not own himself, is unjust and illogical.

But sir while the Senator charges us with having in all our large cities, a very considerable number of persons who obtain alms from beg-

gary, while he asserts there are more paupers in the streets of New York than are to be found in the whole South; still, is it not true in all large places, you witness always the trappings of wealth and the misery which is incident to poverty? Is it not as true of the South as the North? While we have large hordes of that class of men in the great cities of the North, is it not true that vast portions of them come even from the South, and congregate there and ask alms at our hands?

Now my word for it, the Senator from South Carolina has mistaken the character of our population and our laborers. I stand here the representative of northern laborers. In my own person I present a laboring man—educated at the printing case, toiling in my field and earning with my own hands, and by the sweat of my own brow, the food on which I subsist; and I am glad to say that here sits besides me a worthy compeer (Mr. Wilson). It may be regarded as egotistical, and if so, I ask you to pardon me; but I think I feel something for the man that labors.

I think I have something in my heart that leads me to sympathize with him. I know that my friend from Massachusetts has. From our boyhood to our manhood we have toiled in the sunshine and in the rain, and we are, though poor ones, the representatives of the men who labor at the North. I wish they had better and abler representatives here; but such as we are, they have sent us here; such as we are, we will vindicate their rights."

Some days later Mr. Hamlin was drawn into the debate again.

"Who are our 'hireling manual laborers,' of the North? Sir, I can tell that Senator that they are not the mud-sills of our community. They are the men who clear away our forests. They are the men who make the green hill side blossom. They are the men who build our ships and who navigate them. They are the men who build our towns, and who inhabit them. They are the men who constitute the great mass of our community. Sir they are not only the pillars that support the Government, but they are the capitals that adorn the very pillars. They are not to be classed with the slave. Our laboring men have homes; they have wives; they have little ones, dependent on them for support and maintenance; and they are just so many incentives and so much stimulus to action. The laboring man with us knows for whom he toils; and when he toils he knows he is to return to that home where comfort and pleasure and all the domestic associates cluster around the social hearthstone. Northern laborers are "hirelings," and are to be classed with the negro slave!

Besides that, the men who labor in our community are the men whom we clothe with power. They are the men who exercise the prerogatives of the State. They are the men who, after having been clothed with power there, are sent abroad to represent us elsewhere. They do our legislation at home. They support the State. They are the State. They are men, high minded men. They read; they watch you in these Halls

every day; and through all our community the doings of this branch, and of the other, are as well understood, and perhaps even better, than we understand them ourselves. I affirm that, throughout our community, the proceedings of Congress are more extensively and accurately read than even by ourselves. These are the men who are to be classed by the side of the slave? I think it is true that, in about every three generations at most, the wheel entirely performs its revolution. The wealthy man of the North, the wealthy man of any community, finds wealth at the end of two or three generations departing from the hands that accumulated it; and those who commenced life without means, and were "hireling manual laborers," in their turn, by their industry, accumulate that wealth. That is the operation of things around us. You rarely find a fortune continuing beyond three generations in this country in the same family.

That class of our community, containing a very large majority have been designated here as hireling laborers, white slaves! Why, sir, does labor imply slavery? Because they toil, because they pursue a course which enables them to support their wives and their families, even if it be by daily manual labor, does that necessarily imply servitude? Far from it! I affirm that the great portion of our laborers at the North own their homes, and labor to adorn them. They own their own homes, and if you will visit them you will find there evidences to satisfy you beyond all doubt that they are intelligent, and that they are in truth and in fact precisely what I

have described them to be—the pillars of the State, the State itself, and the very ornaments and capitals that adorn the columns. With them the acquisition of knowledge is not a crime.

I have quoted all that the Senator from South Carolina has said on this point for the purpose of giving the widest circulation I can to the declarations he has made.

He has mistaken, I doubt not, the character of our laborers by judging them from what he has seen in his own vicinity and what in my judgment, is produced by that very state of servitude which is there existing. It is my duty to vindicate our laborers. My own regret is that I can do it no more efficiently.

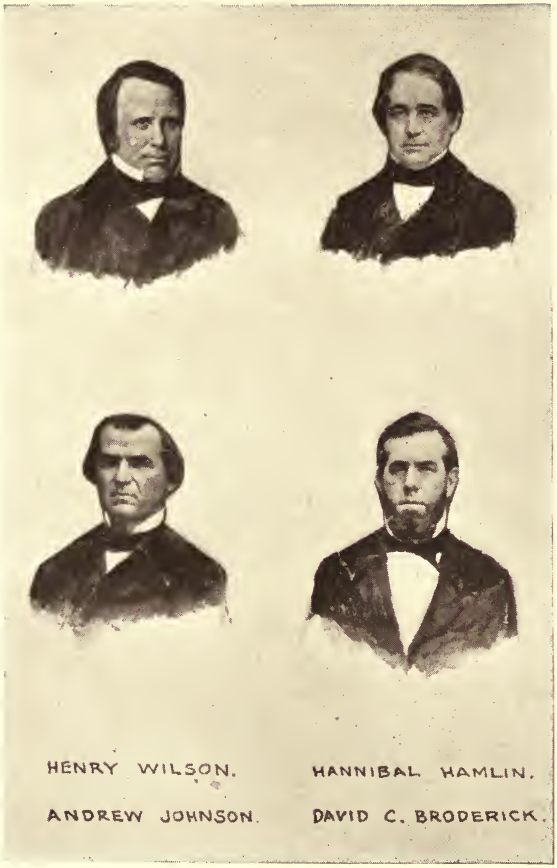
XXIII.

"HIRELING MANUAL LABORERS."

St. Peter was called by his Lord, "a rock," and a fit foundation for the building of a Church. We know that the great Apostle was not degraded by reason of his new name, but very highly exalted. It was a figure of speech.

Senator Hammond's figure of speech was not susceptible of being so turned as to reflect creditably upon the toiler. He implied that the "hireling manual laborer" being a "mud-sill," which is the lowest sill in the house—the sill upon which the superstructure rests—was by its very nature a thing half imbedded in dirt, and only fitted for the meanest uses.

There were some members of the Senate who listened to Mr. Hammond, who were themselves of humble beginnings; men who had had to do hard labor for their living; and they were not slow to offer objection to this affront pronounced upon the "hireling." The masterly answers to that speech were sufficient to gladden the heart of any one who had ever worked with his hands. Such men as Wilson, Broderick, and Wade, took up the defense so ably begun by Hamlin. "The Natick Shoemaker" was well equipped for an attack upon this doctrine propounded by the Southern senator.



HENRY WILSON.

HANNIBAL HAMLIN.

ANDREW JOHNSON.

DAVID C. BRODERICK.

Mr. Wilson said:

Sir,—I have toiled as a "hireling manual laborer" in the field and in the work shop; and I tell the Senator from South Carolina that I never "felt galled by my degradation." No, sir —never! Perhaps the Senator who represents that "other class which leads progress, civilization, and refinement," will ascribe this to obtuseness of intellect and blunted sensibilities of the heart. Sir, I was conscious of my manhood; I was the peer of my employer; I knew that the laws and institutions of my native and adopted State threw over him and over me alike the panoply of equality; I knew, too, that the world was before me, that its wealth, its garnered treasures of knowledge, its honors, the coveted prizes of life, were within the grasp of a brave heart and a tireless hand, and I accepted the responsibilities of my position all unconscious that I was a "slave." I have employed others, hundreds "of hireling manual laborers." Some of them then possessed, and now possess more property than I ever owned; some of them were better educated than myself—yes, sir, better educated, and better read, too, than some Senators on this floor; and many of them, in moral excellence and purity of character, I could not but feel, were my superiors. I have occupied, Mr. President, for more than thirty years, the relation of employer and employed; and while I never felt "galled by my degradation" in the one case, in the other I was never conscious that my "hireling laborers were my inferiors. That man is a snob who boasts of being a "hireling laborer"

or who is ashamed of being a "hireling laborer;" that man is a snob who feels any inferiority to any man because he is a "hireling laborer," or who assumes any superiority over others because he is an employer. Honest labor is honorable; and the man who is ashamed he is or was a "hireling laborer" has not manhood enough to "feel galled by his degradation."

Having occupied Mr. President, the relation of either employed or employer for the third of a century; having lived in a Commonwealth where the "hireling class of manual laborers" are "the depositaries of political power," having associated with this class in all the relations of life; I tell the Senator from South Carolina, and the class he represents, that he libels, grossly libels them, when he declares that they are "essentially slaves!" There can be found nowhere in America a class of men more proudly conscious or tenacious of their rights. Friends and foes have ever found them

"A stubborn race, fearing and flattering none."

Another, and one who had been a stone-cutter by trade, a man fond of books, and a most soulful and interesting character—David C. Broderick, by name, senator from California, and one of the youngest members in the chamber, uttered some memorable words which were evoked by the speech branding the men of his former station in life, as slaves.

Mr. Broderick said:

I, sir, am glad that the Senator has spoken thus. It may have the effect of arousing in the workingmen that spirit that has been lying dormant for centuries. It may also have the effect of arousing the two hundred thousand men with pure skins in South Carolina, who are now degraded and despised by thirty thousand aristocratic slave solders. It may teach them to demand what is the power—

Linked with success, assumed and kept with skill,
That moulds another's weakness to its will;
Weilds with their hands, but still to them unknown,
Makes even their mightiest deeds appear his own!"

I suppose, sir, the Senator from South Carolina did not intend to be personal in his remarks to any of his peers upon this floor. If I had thought so I would have noticed them at the time. I am, sir, with one exception, the youngest in years of the Senators upon this floor. It's not long since I served an apprenticeship of five years at one of the most laborious mechanical trades pursued by man—a trade that from its nature devotes its followers to thought, but debars him from conversation. I would not have alluded to this if it were not for the remarks of the Senator from South Carolina; and the thousands who know that I am the son of an Artisan and have been a mechanic, would feel disap-

pointed in me if I did not reply to him. I am not proud of this. I am sorry it is true. I would that I could have enjoyed the pleasures of life in my boyhood days; but they were denied to me. I say this with pain. I have not the admiration for the men of the class from which I sprang that might be expected; they submit too tamely to oppression, and are prone to neglect their rights and duties as citizens. But sir the class of society to whose toil I was born, under our form of government will control the destinies of this nation. If I were inclined to forget my connection with them, or to deny that I sprang from them, this chamber would not be the place in which I could do either. While I hold a seat I have but to look at the beautiful capitals adorning the pilasters that support this roof, to be reminded of my father's talent and to see his handiwork. I left the scenes of my youth and manhood for the 'Far West' because I was tired of the struggle and jealousies of men of my class, who could not understand why one of their fellows should seek to elevate his condition upon the common level. I made my new abode among strangers where labor is honored. I had left without regret; there remained no tie of blood to bind me to any being in existence. If I fell in the struggle for reputation and fortune, there was no relative on earth to mourn my fall. The people of California elevated me to the highest honor within their gift. My election was not the result of an accident. For years I had to struggle, often seeing the goal of my ambition within my reach; it was again and again taken from me

by the aid of men from my own class. I had not only them to contend with, but almost the entire partisan press of my State was subsidized by Government money and patronage to oppose my election. I sincerely hope, sir, the time will come when such speeches as that from the Senator from South Carolina will be considered a lesson to the laborers of the nation.

The *New York Tribune* commenting on Mr. Wade's reply, made these statements:

There are many fine orations and good arguments delivered in the United States Senate, from time to time; but not often a really good speech. . . . In the powerful effort of Judge Wade, the speech is but the just measure of the man.

Mr. Wade's speech in part:

Of what use is your idle aristocracy?

In God's name, have they not been the curse, the blight of every nation of the earth? You cannot have this refined aristocracy, says the gentleman, unless you have a class to do your drudgery; and that is the sentiment of the whole South. How diametrically opposed to it is the whole practical system of the North? Is it reasonable, is it right, that "a class" shall do your drudgery—"a class" that shall obey? Sir, labor should never be done by a class. If you obeyed the mandate of the Almighty, and labor were

distributed among all the able bodied men, it would cease to be a task; it would be a mere amusement, and it would tax no man's physical powers above what would consist with his health and his welfare. It was designed—for God is just—that this drudgery of which the Senator speaks should be distributed among all the able-bodied men so as to make it light, and then it would not be inconsistent with the highest perfection of civilization and refinement; but on the other hand, would lead directly to it.

Labor done by a class! That, sir, was the curse of the Old World. A class has been assigned to do the drudgery, to do all that is valuable, to produce everything that is beneficial; and the system leaves aristocratical drones, useless, vicious idlers whom any community can well dispense with. I say this class you can dispense with to the advantage of any community that I know of; but the class who do your labor cannot be dispensed with. The Senator says you must have class to do your degraded labor. I deny that labor is degraded; and here is the point of difference between us, which I fear can never be overcome. That is one grand reason why we resist your system coming into our Territories; it is all because you are determined to contaminate all labor by this degraded class. Will the free, intelligent laborer place himself upon a level with your mere abject chattel, and toil there? Sir, he cannot do it, and ought not to do it, and will not do it. What an idea of labor! The Senator supposes that the laboring class want but very little mind and very

little skill. Sir, there is nothing on earth that puts the human intellect to all that it can attain like the varied labor of man; what does your drone, your refined aristocrat, do in his mind? What problems does he work out? He consumes the products of labor; he is idle, and ten to one is also vicious. He never invents. Go to your Patent Office, and see what are the products of your degraded labor and your refined aristocrat.

The latter never invents anything, unless its a new way of stuffing a chicken or mixing liquor. (Laughter.) He invents nothing beneficial to man. Degraded labor, with a low intellect is all you want! Sir, the machinery brought into operation by intelligent labor is doing now more drudgery than all the slaves upon the face of the earth. The elements are yoked to the machines of usefulness, and there they are doing the work of bone and muscle and your system cannot abide with it. The doom of slavery would be fixed, if it was by nothing else than the products of intelligent labor. You drudge along in the old way; you invent no steam engine, because your labor is degraded. You do not want skill; you want but very little mind; and the Senator thinks the more ignorant the laborers are the better, for he says they are so degraded that they have no ambition, and they never will endanger this refined class that eats up the proceeds of their labor!

That is the idea of government that prevails all through the slave-holding regions of the South. Again the Senator says of the degraded class that do the drudgery, "It constitutes the

very mul-sills of society and of political government; and you might as well attempt to build a house in the air; as to build either one or the other, except on this mud-sill."

And then he goes on to say that we of the North have white slaves; that we perform our labor by the white slaves. This class must exist everywhere, and they must be a mud-sill upon which you must erect civil societies and political organizations.

How little that gentleman understood of the spirit of our northern laborers! I would like to see him endeavoring to erect his political institutions upon their prostrate necks as mud-sills. I think it would be a little troublesome. He might as well make his bed in hell, or erect his building over a volcano, as to undertake to build on his northern "mud-sills." Then with a simplicity that shows he knows nothing of northern society, he says we have sent our missionaries down to their very hearthstones to endanger their system. I do not know how that is; but he turns round and asks how we would like them to send their missionaries up to teach our laborers their power. I was astonished as such an idea as that being presented to political men of the North, who know and feel the power of the laboring class of men. We are all laboring men, and the politician cannot live unless they breath upon him; he cannot move unless he moves with their approbation. They are the soul, the strength, the body, the virtue, the main stay of all our society. Deprive our State of its laborers and what would it be? We have nothing else, and we have none of your

refined society that is spoken of. We all labor, and are all disgraced as the gentleman would call it, in our community. Labor with us is honorable; idleness is disreputable. That is the state of things with us, and the laboring man knows full well, and needs no missionary to tell him the potency of his vote. We should like to have your missionaries come up and endeavor to endanger our society! Good heavens! One man has the same interest in upholding it as another. Suppose one man is richer than another in Ohio. There is no great diversity, as a general thing; but suppose he is; take the child of the poorest man in our State; and has he any temptation to overthrow our government? No, sir; full of life, full of hope, full of ambition to go beyond him who has gone furthest, he wishes to avail himself of the same securities which have ministered to the upbuilding of others. He is a citizen, who holds all the rights of citizenship as dear as the most wealthy. His stake in society is the same; his hope is the same; his interest in good government is the same. He is none of your prostrate mud-sills deprived of those rights which God Almighty has given him, trampled under foot, and made to minister to the interest of another man. There is no such system as that with us.

But the Senator spoke about a degraded class in our great commercial cities. I have to confess that there is some truth in that. We have a degraded class in the cities. They are the offscouring generally of this Old World—men who come here reduced to beggary by their ignor-

ance; reduced to beggary by their vice; ignorant, vicious, dangerous. I do not deny it. They are incident to all large cities; but the Senator should not complain of them. They are the chief corner stone of your political strength in the North. Fnd me the vicious ward of any city that does not uphold your system of slavery, vote for its candidates, support its measures and labor for its men. No, sir, you should not complain of this vicious population. In truth and in fact, they are about the only stay and support you have there now and you ought not to traduce them. From their very natures, they attach themselves to you, and I do not think by any treatment you will be able to drive them off.

They are naturally with you; they were slaves in their own countries; they do not know anything else than to be the understrappers of somebody; and when they hear that here are slaveholders contending with freemen, you will find them with the former all the time.

XXIV.

ANDREW JOHNSON: TAILOR-STATESMAN.

The Senate seemed to hold as many men who climbed to success through adversity and, oftimes, antagonism, as it did men who were lifted up amid showers of praise. Perhaps, some of the most useful public men of those times came from the masses, among whose serried ranks the whole being must ever bend in the struggle for mere bread, to say nothing of advancement in the world's affairs.

Born of the people, brought up amongst the people, and a representative of the people, Andrew Johnson, tailor and statesman, stood in the halls of Congress, the peer of any member of either house. The place of his birth was Raleigh, North Carolina. At the age of four years he was left fatherless and penniless. Poverty being his early teacher, he learned lessons at her school that eminently fitted him for his distinguished career. It made him also the champion of the poor and weak.

His marriage at the age of 19, brought to him in wedlock a companion of youth, beauty, and culture, and one whose love never waned. Though poor in worldly goods, he possessed a character untarnished and an ambition unflagging. Never having spent a day in school, he,

in the encounters of debate, was armed cap-a-pie for combat with graduates of the best colleges. How can it be explained? At night, while plying his needle, the talented and accomplished Eliza McArdle Johnson, his wife, instructed him in all branches of education. His career was a slow and steady climb. In the little town in East Tennessee, where he lived, he entered politics, and became first an alderman. From this he was elected Mayor. One night, speaking to a group of politicians about whom they were to send to the legislature, he said: "I, too, am in the fight." And he was elected.

Andrew Johnson went to the Senate of the United States in 1857. He had a cordial dislike for an aristocrat, and Jefferson Davis, the most perfect example of such an estate, aroused him to very caustic utterance. One day Mr. Davis critically asked him: "What do you mean by the laboring classes?" "Those who earn their bread by the sweat of their face, and not by fatiguing their ingenuity."

When the hailstorm of disapproval was falling upon Senator Hammond for his "mud-sill" speech, Mr. Johnson said:

In one sense of the term we are all slaves. A man is a slave to his ambition; he is a slave to his avarice; he is a slave to his necessities; and, in enumerations of this kind, you can scarcely find any man, high or low in society, but who, in some sense, is a slave, but they are not slaves in the sense we mean at the South and it will not do to assume that every man who toils for his living is a slave. If that be so, all are slaves;

for all must toil more or less, mentally or physically. But in the other sense of the term, we are not slaves. Will it do to assume that the man who labors with his hands, every man who is an operative in a manufacturing establishment, or a shop is a slave? No sir, that will not do. Will it do to assume that every man who does not own slaves, but has to live by his own labor, is a slave? That will not do. If it were true, it would be very unfortunate for a good many of us, and especially so for me. I am a laborer with my hands, and I never considered myself a slave in the acceptance of the term slave in the South. I do own some; I acquired them by my industry, by the labor of my hands. In that sense of the term I should have been a slave while I was earning them with the labors of my hands.

Mr. Hammond: Will the Senator define a slave?

Mr. Johnon: What we understand to be a slave in the South, is a person who is held to service during his or her natural life, subject to, and under the control of, a master who has the right to appropriate the products of his or her labor to his own use. The necessities of life and the various positions in which a man may be placed, operated upon by avarice, gain, or ambition, may cause him to labor; but that does not make a slave. How many men are there in society who go out and work with their own hands, who reap in the field, and mow in a meadow, who hoe corn, who work in the shops? Are they slaves? If we were to go back and

follow the idea, that every operative, and laborer is a slave, we should find that we have had a great many distinguished slaves since the world commenced. Socrates, who first conceived the idea of the immortality of the soul, pagan as he was, labored with his own hands;—yes, wielded the chisel and the mallet, giving polish, and finish to the stone; he afterwards turned to be a fashioner and constructor of the mind. Paul the great expounder, himself was a tent maker, and worked with his hands; was he a slave? Archimedes, who declared that, if he had a place on which to rest the fulcrum, with the power of his lever he could move the world; was he a slave? Adam, our great father and head, the lord of the world, was a tailor by trade; I wonder if he was a slave?

When we talk about laborers and operatives, look at the columns that adorn this Chamber, and see their finish and style. We are lost in admiration at the architecture of your buildings, and their massive columns. We can speak with admiration. What would it have been but for hands to construct it? Was the artisan who worked upon it a slave? Let us go to the South and see how the matter stands there. Is every man that is not a slaveholder to be denominated a slave because he labors? Why indulge in such a notion?"

XXV.

JEFFERSON DAVIS AND ROBERT TOOMBS.

When Jefferson Davis first became United States Senator from Mississippi in 1847, he was among the youngest members of that body. It was said that John Quincy Adams, used always to take a seat close to a speaker upon the occasion of his debut, and if the man pleased him he remained attentive, otherwise he quickly fled. Mr. Davis had the floor one day soon after taking his seat in the Chamber, and Mr. Adams moved up. As the speaker proceeded, the "Old Man Eloquent" sat there listening attentively, and at the conclusion of the speech, he remarked to some friends: "That man, gentleman, is no ordinary man. He will make his mark yet, mind me."

Mr. Davis' second term in the Senate began in 1857. Austere in manner, with the bearing of a soldier, and the tread of an Indian brave on the warpath, he was a figure commanding attention on the Senate floor. He was of the blue blood of the South, and proud, select, polished. His frame was more delicate than strong; his countenance, though not handsome, was good, and bore indications of the high spirit within the man. He seemed always to be absorbed in

things above the common level, not much of a talker, nor easily drawn out. Approachable only by his associates in the Senate, I always considered him a very cold man. I do not remember that he ever smiled. He had passed through so much, with Indian campaigning and the Mexican war, that his nature could not have been otherwise, probably, than it was. It appears to make a man's disposition reserved and cold, when he returns to every day life, bearing wounds and the marks of hardship in field and camp. He must have had great depth of character,—depth of soul; aye, it is manifest by his record in the army, and in the Senate; and no one better could have been selected to bear the burden of awful responsibility in administering the affairs of the Confederacy. He was a military genius. His West Point training, and his Mexican War experience, gave him facility to grasp military situations and to issue commands to an army. He had surprised the commanders of the world by his tactics at Buena Vista, where he was vastly outnumbered, and by placing his forces in the form of an angle with the apex toward the enemy, instead of using the "hollow square," he twice repulsed the advance and won a great victory.

His political career was much to be admired, for some one has said of him that he had the defiance of Chatham, was as scholarly as Brougham, elegant in diction as Canning, often as profound as Burke, with the fervor and zeal of Grattan, and the subtelty of Fox. His parliamentary art thus comparing with the best

English models, his standing was amongst the foremost in the American Senate.

How strange it seems now, to read a speech so loyal to the Union, spoken by one who became President of a Confederacy. His speech on the bill to increase the army, is in part, as follows:

Is it to be inferred that a man who is a freeman at his birth, who has all the spirit of republicanism in his heart, is to lose it by entering the military profession? Is it true, as the Senator from Texas has told us, that the service in the army stultifies young men? it cannot be. He is a bright example of the reverse himself. It was his proud fortune to rise from the ranks by his own merit to a commissioned officer, to serve in the army, and there to acquire many of those qualities, endowments, and graces which have adorned this Chamber; he stands in himself a brilliant example of how little the army stultifies, and how much it may exalt the youth contained in its ranks. We have other and great examples. Did Washington become the fit instrument of a despotism? was he stultified because he entered the service of the United States in his youth? That great mind which comprehended the whole condition of the Colonies; that heart that beat sympathetically for ever portion of his common country, feeling equally for Massachusetts, and South Carolina, for New York and Virginia, that great arm which smoothed the thorny path of revolution, and led the Colonies from rational up to National independence, and laid the foundation of that prosperity and

greatness which have made us a people not only as an example for the whole world, but a protection to liberal principles wherever liberty asserts a right—was he stultified by service in the army? Jackson too the indomitable Jackson, who when a boy and a captive, spurned the insult of a despot, and for asserting his personal dignity received a wound, a scar of which he carried to his grave—was he by service in the army, when yet a minor, by brilliant exploits in middle age, rendered the fit instrument of despotism? If it be said that these were men drawn from the pursuits of civil life and only ocassionally employed in the military service what, then, shall be said of the great, the good, heroic Taylor? for a hero he was, not in the mere vulgar sense of animal courage, but in the higher and nobler attributes of generosity and clemency. His was an eye that looked unquailing when the messengers of death were flying around him; but in the ward room, over his wounded comrades, was dimmed by the tear of a soldier's love and compassion. His was a self-reliant, resolute heart, which arose under accumulated difficulties, and hardened by contact with danger; but that heart melted to a woman's softness at the wail of the helpless, or the appeal of the vanquished. He was a hero, a moral hero. His heart was his country's, and his life had been his country's own through all its stages. Was he the fit instrument of a despot to be used for the overthrow of the liberties of the United States?

Shall I prove my proposition by going on and multiplying examples; or is not apparent that

whatever may be true of the history of Rome, whatever may be true of the condition of Europe, that the United States stands out its own founder and its own example? No other people like our own ever founded a State. No other people like our own have ever thus elevated a State to such greatness in so small a space of time. If there be evidence of decay, that decay is not to be found in the spirit of your little army, but is to be hunted for in the impurities of your politicians. It therefore does not become the politician to point to our little and gallant and devoted army, as the incipient danger which is to overthrow the liberties of this country.

As I revert to the days of the 35th Congress, with the knowledge of subsequent history in my mind, the name of Robert Toombs is indissolubly linked with that of Jefferson Davis; not because of any similiarity of the two men, but because upon them conjointly is laid most of the blame for precipitating the war of rebellion, and between them rested the choice of a Chief Executive for the Confederate States.

Robert Toombs, Senator from Georgia, was one of the most forcible speakers on that historic floor. He was like a lion both in appearance and in actions; fearless, bold, powerfully built, and with a voice of thunder. He reminded me always of Edwin Forrest in the character of Jack Cade, the bondman of Kent. As with all good lawyers he was never without proper in-

formation before him, and in debate he could throw down the gauntlet to anyone. Like Mirabeau, whom he also probably resembled, he chose rather than employ ornate language, to strike as with a sledge-hammer, blows with words of the utmost weight, meanwhile shaking his head and pounding with his clenched fists upon his desk. He could speak for several hours without the least sign of fatigue, and the Senate gave him undivided attention. He also had a habit of rising on his toes, and then striking his heels hard on the floor.

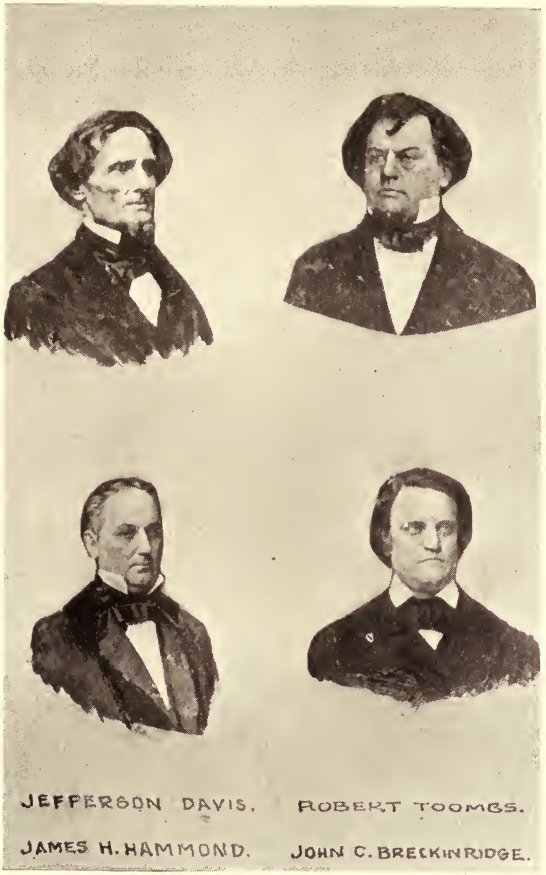
Mr. Toombs was born in Georgia, in 1810. His education was acquired at the University of Georgia, Union College, New York, and the University of Virginia. At the time of his death he was one of the wealthiest men of the South, his fortune being estimated at half a million dollars.

When Lnicoln was elected President of the United States, Mr. Toombs was so inflamed with passion that he very diligently urged secession, and to add greater emphasis to disorder, informally left the Senate, for which act he was expelled.

In the cabinet of the Confederacy, he quarreled with Mr. Davis and resigned the portfolio to enter the army. He was commissioned a brigadier general.

From a section of a speech, delivered in May, 1858, inveighing against British aggressions in the Gulf of Mexico, one may receive a fair impression of the man's style.

Mr. Tombs: It is not my purpose to argue


JEFFERSON DAVIS.
ROBERT TOOMBS.
JAMES H. HAMMOND.
JOHN C. BRECKINRIDGE.

the right of any nation to visit or to search American ships in time of peace. I consider that argument to have been exhausted; that question to have been settled for the last forty years by the American people. It was one of the causes of the last war with England. It was not settled at the treaty of Ghent; but it was there given to be distinctly understood by the American negotiators, and it has been uniformly affirmed by this Government, that whenever exercised, we should consider it a belligerent act. Therefore, there is but one point in this case: if these belligerent acts of search have been done by the authority of the British Government, they are acts of war that ought to be resisted by force; and we want not measures of prevention in the future, but redress for the insult in the past. We want something more than the resolutions the committee offer to give us here. We want something more than pledges and securities that belligerent acts will not be committed in the future. We want satisfaction for the committal of these acts, if they have been done by authority of the British Government, they are acts of war that we ought to resist by force and resist now. If they have been done without their authority, we ought to seize these vessels, to prevent the performance of those acts, not only against the laws of nations, but against our rights, and against the authority of their own Government.

Therefore I shall vote for a resolution that will not only send our Navy there to prevent the

continuance of this war upon our commerce, but will seize the vessels which have committed these hostilities, with or without the authority of the British Government. That Government is too far off. We cannot afford to have our houses searched while waiting to hear what they have to say. It is not allowable, I believe, for the humblest man in Great Britain or in this country, to have his house searched, even with a general warrant. The British resisted that a hundred years ago. Our Constitution protects us against it. We are free from it by our own Constitution except under the most stringent circumstances; but Great Britain, a foreign Government, without any pretense, without any form of law, claims the right of disgracing our flag, and searching our vessels in the Gulf of Mexico at our doors. Will you send across the water, and have negotiation while these things are going on? Every gale that wafts a sail from the Gulf of Mexico brings here accounts of new wrongs and new outrages; and I suppose we must send to England to know if she warrants the acts of this fleet who are roving over seas, free rovers, violating our declared rights that we have stood by for forty years, to know if it is by the authority of their masters? The military force of the country should be sent to the Gulf, and it should seize or sink the aggressors, and get explanation afterwards. If it is against their orders, we have treated them right; if it is not against their orders, we have treated England right; so that in any event, I shall vote

for that measure which will seize the British aggressors on our rights and bring them to our ports for condign punishment, and I shall be satisfied with nothing short of it."

XXVI.

PASSING FROM THE OLD CHAMBER.

In all the four years of my experience in the Senate, I was never more deeply impressed than on this occasion, when the whole body of Senators took leave of the old chamber. (January 4, 1859.)

Vive-President Breckinridge delivered the principal oration of the day, in a voice with a silver clarion ring. His words were fit and striking, and the sentiments so thoughtful. He was one of the most attractive men in the Senate, being of a good height, with a handsome face, intellectual head, and imperious presence. A popular idol in Kentucky, he made so rapid an assent on the ladder of political honors, that he gained the Vice-Presidency almost at a bound. He was the youngest man who had ever advanced to that distinguished post, he being but thirty-five years of age when elected to it.

The program for the day was arranged with much ceremony. Mr. Crittenden, as the longest in service, held the floor of the Senate as the first speaker, and naturally dropped into reminiscent mood, saying:

I hope I may be indulged in a few words of parting from this Chamber. This is to be the

last day of our session here; and this place, which has known us so long, is to know us no more forever as a Senate. The parting seems to me sir, to be somewhat of a solemn one, and full of eventful recollections. I wish however, only to say a few words. Many associations pleasant and proud, bind us and our hearts to this place. We cannot but feel their influence, especially I, Mr. President, whose lot it has been to serve in this body more years than any other member present. That we should all be attached to it, is most natural. Mr. President we cannot quit this Chamber without some feeling of sacred sadness. This Chamber has been the scene of great events. Here questions of American Constitution and laws have been debated and decided; questions of empire have occupied the attention of this assemblage in times past; this was the grand theater upon which these things have been enacted. They give a sort of consecrated character to this Hall.

Sir, great men have been the actors here. The illustrations dead, that have distinguished this body in times past, naturally rise to our view on such an occasion. I speak only of what I have seen, and but partially of that, when I say that here, within these walls, I have seen men whose fame is not surpassed, and whose power and ability and patriotism are not surpassed, by any of Grecian or Roman name. I have seen Clay and Webster, Calhoun and Benton, Leigh and Wright, and Clayton, (last though not least), mingling together in this body at one time, and uniting their counsels for the benefit of their

country. They seem to our imaginations and sensibilities, on such an occasion as this to have left their impress on these very walls; and this majestic dome seems almost yet to echo with the voice of their eloquence. This Hall seems to be a local habitation for their names. This Hall is full of the pure odor of their justly-earned fame. There are others besides those I have named, of whom I will not speak, because they have not yet closed their career—not yet ended their services to the country; and they will receive their reward hereafter. There are hosts of others I might mention—that deserve to be mentioned—but it would take too long. Their names are in no danger of being forgotten, nor their services unthought of or unhonored.

Sir, we leave behind us, in going from this Hall, these associations, these proud imaginations so well calculated to prompt to a generous emulation of their services to their country; but we will carry along with us to the New Chamber to which we are to go, the spirit and the memory of all these things; we will carry with us all the inspiration which our illustrious predecessors are calculated to give; and wherever we sit we shall be the Senate of the United States of America—a great, a powerful, a conservative body in the government of this country, and a body that will maintain, as I trust and believe, under all circumstances, and in all times to come, the honor, the right, and the glory of this country. Because we leave this Chamber, we shall not leave behind us any sentiment of patriotism, any devotion to the country which the illustrious that have gone

before us have set to us. They like our household gods, will be carried with us; and we the representatives of the States of this mighty Union, will be found always equal, I trust to the exigencies of any time that come upon our country. No matter under what sky we may sit; no matter what dome may cover us; the great patriotic spirit of the Senate of the United States will be there; and I have an abiding confidence that it will never fail in the performance of its duty, sit where it may, even though it were in a desert.

But it is yet sir, not possible to leave this Hall without casting behind us many longing and lingering looks. It has been the scene of the past; the new Chamber is to be the scene of the future, I hope it will not be dishonored by any comparison to be made with the past. It, too, will have its illustrations of great public services rendered by great men and great patriots; and this body, the great preservative element of the Government, will discharge all its duties, taking care to preserve the Union of the States which they represent—the source of all their honors, the source of the trust which they sit here to execute, the source as it has been and as it will be of their country's greatness, happiness, and prosperity, in times to come as it has been in the time that is past.

The Vice-President. Senators,—I have been charged by the committee to whom you confided

the arrangements of this day with the duty of expressing some of the reflections that naturally occur in taking final leave of a Chamber which has so long been occupied by the Senate. In the progress of our country and the growth of the representation, this room has become too contracted for the representatives of the States now existing and soon to exist; and accordingly you are about to exchange it for a Hall affording accommodations adequate to the present and future. The occasion suggests many interesting reminiscences; and it may be agreeable, in the first place, to occupy a few minutes with a short account of the various places at which Congress has assembled, of the struggles which preceded the permanent location of the Seat of Government, and of the circumstances under which it was finally established on the banks of the Potomac.

The Congress of the Revolution was sometimes a fugitive, holding its sessions, as the chances of war required, at Philadelphia, Baltimore, Lancaster, Annapolis, and Yorktown. During the period between the conclusion of peace and the commencement of the present Government, it met at Princeton, Annapolis, Trenton and New York. After the idea of a permanent Union had been executed in part by the adoption of the Articles of Confederation the question presented itself of fixing a Seat of Government, and this immediately called forth intense interest and rivalry.

That the place should be central, having regard to the population and territory of the Cenfeder-

acy, was the only point common to the contending parties. Propositions of all kinds were offered, debated, and rejected, some time with intemperate warmth. At length, on the 7th of October, 1783, the Congress being at Princeton, whither they had been driven from Philadelphia, by the insults of a body of armed men, it was resolved that a building for the use of Congress be erected near the falls of the Delaware. This was soon after modified by requiring suitable buildings to be also erected near the falls of the Potomac, that the residence of Congress might alternate between those places. But the question was not allowed to rest, and at length, after frequent and warm debates, it was resolved that the residence of Congress should continue at one place; and Commissioners were appointed, with full power to lay out a district for a Federal town near the falls of the Delaware, and in the mean time Congress assembled alternately at Trenton and Annapolis, but the representatives of other States were unremitting in exertions for their respective localities. On the 23d of December, 1784 it was resolved to remove to the City of New York, and to remain there until the building on the Delaware should be completed; and accordingly on the 11th of January, 1785, the Congress met at New York, where they continued to hold their sessions until the Confederation gave place to the Constitution. The Commissioners charged to lay out a town on the Delaware, reported their proceedings to Congress; but no further steps were taken to carry the resolution into effect.

When the bonds of Union were drawn closer by the organization of the New Government under the Constitution, on the 3d of March, 1789, the subject was revived and discussed with greater warmth than before. It was conceded on all sides that the residence of Congress should continue at one place, and the prospect of stability in the Government invested the question with a deeper interest. Some members proposed New York as being "superior to any place they knew for the orderly and descent behavior of its inhabitants." To this it was answered that it was not desirable that the political Capital should be a commercial metropolis. Others ridiculed the idea of building palaces in the woods. Mr. Gerry of Massachusetts thought it highly unreasonable to fix the Seat of Government in such a position as to have nine States of the thirteen, to the northward of the place; while the South Carolinians objected to Philadelphia on account of the number of Quakers, who, they said, continually annoyed the Southern members with schemes of emancipation. In the midst of these disputes, the House of Representatives resolved, "that the permanent Seat of Government ought to be at some convenient place on the banks of the Susquehanna." On the introduction of a bill to give effect to this resolution, much feeling was exhibited, especially by the Southern members. Mr. Madison thought if the proceedings of that day had been forseen by Virginia, that State might not have become a party to the Constitution. The question was allowed by every member to be a matter of great importance. Mr.

Scott said the future tranquility and well-being of the United States depended as much on this as on any question that ever had, or could, come before Congress; and Mr. Fisher Ames remarked that every principle of pride and honor and even of patriotism were engaged. For a time, any agreement appeared to be impossible; but the good genius of our system finally prevailed, and on the 28th of June, 1790, an act was passed containing the following clause: "That a distinct territory on the river Potomac, at some place between the mouths of the eastern branch and the Connogocheague, be and the same is hereby accepted, for the permanent Seat of the Government of the United States." The same act provided that Congress should hold its sessions at Philadelphia until the first Monday in November, 1800, when the Government should remove to the district selected on the Potomac. Thus was settled a question which had produced much sectional feeling between the States. But all difficulties were not yet surmounted; for Congress, either from indifference, or the want of money, failed to make adequate appropriations for the erection of public buildings, and the Commissioners were often reduced to great straits to maintain the progress of the work. Finding it impossible to borrow money in Europe, or obtain it from Congress, Washington, in December, 1796, made a personal appeal to the Legislature of Maryland, which was responded to by an advance of $100,000; but in so deplorable a condition was the credit of the Federal Government that the State required, as a guarantee of pay-

ment, the pledge of the private credit of the Commissioners.

From the beginning, Washington had advocated the present Seat of Government. Its establishment here was due, in a large measure to his influence; it was his wisdom and prudence that computed disputes and settled conflicting titles; and it was chiefly through his personal influence that the funds were provided to prepare the buildings for the reception of the President and Congress.

The wings of the Capitol having been sufficiently prepared, the Government removed to this District on the 17th of November, 1800; or as Mr. Wolcott expressed it, left the comforts of Philadelphia, "to go to the Indian place with the long name, in the woods on the Potomac." I will not pause to describe the appearance at that day, of the place where the city was to be. Contemporary accounts represent it as desolate in the extreme, with its long, unopened avenues and streets, its deep morasses, and its vast area covered with trees instead of houses. It is enough to say that Washington projected the whole plan upon a scale of centuries, and that time enough remains to fill the measure of his great conception.

The Senate continued to occupy the north wing and the House of Representatives the south wing of the Capitol, until the 24th day of August 1814, when the British Army entered the city and burned the public buildings. This occured during the recess, and the President immediately convened the Congress. Both Houses

met in a brick building known as Blodget's Hotel, which occupied a part of the square now covered by the General Post Office. But the accommodations in that house being insufficient a number of public spirited citizens erected a more commodious building on Capitol Hill, and tendered it to Congress; the offer was accepted, and both houses continued to occupy it until the wings of the new Capitol were completed. This building yet stands on the street, opposite to the northeastern corner of the Capitol Square, and has since been occasionally occupied by persons employed in different branches of the public service.

On the 6th of December, 1819, the Senate assembled for the first time in this Chamber, which has been the theater of their deliberations for more than thirty-nine years, and now that the strifes and uncertainties of the past are finished, we see around us on every side the proof of stability and improvement; this Capitol is worthy of the Republic; noble public buildings meet the view on every hand; treasures of science and the arts begin to accumulate. As this flourishing city enlarges, it testifies to the wisdom and foresight that dictated the plan of it. Future generations will not be disturbed by questions concerning the center of population, or of territory, since the steamboat, the railroad, and the telegraph have made communication almost instantaneous. The spot is sacred to a thousand memories, which are so many pledges that the City of Washington founded by him and bearing his revered name, with its beautful site, on picturesque eminences,

and the broad Potomac, and lying within view of his home and tomb, shall remain forever the political capital of the United States.

It would be interesting to note the gradual changes which have occurred in the practical working of the Government, since the adoption of the Constitution; and, it may be appropriate to this occasion to remark one of the most striking of them:

At the origin of the Government, the Senate seemed to be regarded chiefly as an executive council. The President often visited the Chamber and conferred personally with this body; most of its business was transacted with closed doors, and it took comparatively little part in the legislative debates. The rising and vigorous intellects of the country sought the arena of the House of Representatives as the appropriate theater for the display of their powers. Mr. Madison observed, on some occasion, that being a young man, and desiring to increase his reputation, he could not afford to enter the Senate, and it will be remembered, that, so late as 1812, the great debates which preceded the war and aroused the country to the assertion of its rights took place in the other branch of Congress. To such an extent was the idea of seclusion carried, that no seats were prepared for the accommodation of the public; and it was not until many years afterwards that the semi-circular gallery was erected which admits the people to be witnesses of your proceedings. But now, the Senate, besides its peculiar relations to the executive departments of the Government, assumes its full share

of duty as a co-equal branch of the Legislature; indeed, from the limited number of its members, and for other obvious reasons, the most important questions, especially of foreign policy, are apt to pass first under discussion in this body, and to be a member of it is justly regarded as one of the highest honors which can be conferred on an American statesman.

It is scarcely necessary to point out the causes of this change, or to say that it is a concession both to the importance and the individuality of the States, and to the open and free character of the Government. In connection with this easy but thorough transition, it is worthy of remark that it has been effected without a charge from any quarter, that the Senate has transcended its constitutional sphere—a tribute at once to the moderation of the Senate, and another proof to thoughtful men, of the comprehensive wisdom which the framers of the Constitution possessed.

The progress of this popular movement, in one aspect of it, has been steady and marked. At the origin of the Government no arrangements in the Senate were made for spectators; in this Chamber about one-third of the space is allotted to the public; and in the new apartment, the galleries cover two-thirds of its area. In all free countries the admission of the people to witness legislative proceedings is an essential element of public confidence; and it is not to be anticipated that this wholesome principle will ever be abused by the substitution of partial and interested demonstrations for the expression of material and enlightened public opinion. Yet it should never be for-

gotten that not France, but the turbulent spectators within the hall armed and controlled the French Assembly. With this lesson and its consequences before us, the time will never come when the deliberations of the Senate shall be swayed by the blandishments or the thunders of the galleries.

It is impossible to disconnect from an occasion like this a crowd of reflections on our own past history, and of speculations on the future. The most meagre accounts of the Senate involves a summary of the progress of our country. From year to year you have seen your representation enlarge; time and again you have proudly welcomed a new sister into the Confederacy; and the occurrences of this day are a material and impressive proof of the growth and prosperity of he United States. Three periods in the history of the Senate mark in striking contrast three epochs in the history of the Union. On the 3d of March, 1789, when the Government was organized under the Constitution, the Senate was composed of the representatives of eleven States, containing three million people. On the 6th of December, 1819, when the Senate met for the first time in this room, it was composed of the representatives of twenty-one States, containing nine million people. To-day it is composed of the representatives of thirty-two States, containing more than twenty-eight million people, prosperous, happy, and still devoted to constitutional liberty. Let these great facts speak for themselves to all the world. The career of the United States cannot be measured by that of any other people of whom his-

tory gives account; and the mind is almost appalled at the contemplation of the prodigious force which has marked their progress. Sixty-nine years, thirteen States, containing three millions of inhabitants, burdened with debt and exhausted by the long war of independence, established for their common good a free Constitution, on principles new to mankind, and began their experiment with the good wishes of a few doubting friends and the derision of the world. Look at the result to-day! Twenty-eight millions of people, in every way happier than an equal number in any other part of the globe! The centre of population and political power descending the western slope of the Alleghany Mountains, and the original thirtee States forming but the eastern margin on the map of our vast possessions; see, besides, Christianity, civilization, and the arts given to a continent; the despised colonies grown into a Power of the first class, representing and protecting ideas that involve the progress of the human race; a commerce greater than that of any other nation; every variety of climate, soil, and production to make a people powerful and happy; free interchange between the States—in a word, behold present greatness, and, in the future, an empire to which the ancient mistress of the world in the height of her glory could not be compared. Such is our country; ay, and more—far more than my mind could conceive or my tongue could utter. Is there an American who regrets the past? Is there one who will deride his country's laws, pervert her Constitution, or alienate her people?

If there be such a man let his memory descend to posterity laden with the execrations of all mankind.

So happy is the political and social condition of the United States, and so accustomed are we to the secure enjoyment of a freedom elsewhere unknown, that we are apt to undervalue the treasures we possess, and to lose in some degree the sense of obligation to our forefathers. But when the strifes of faction shake the Government, and even threaten it, we may pause with advantage long enough to remember that we are reaping the reward of other men's labors. This liberty we inherit; this admirable Constitution which has survived peace and war, prosperity and adversity; this double scheme of Government, State and Federal, so peculiar and so little understood by other Powers, yet which protects the earnings of industry, and makes the largest personal freedom compatible with public order. These great results were not acquired without wisdom and toil and blood. The touching and heroic record is before the world; but to all this we were born, and like heirs upon whom has been cast a great inheritance, have only the high duty to preserve, to extend, and to adorn it. The grand productions of the era in which the foundations of the Government were laid, reveal the deep sense its founders had of their obligations to the whole family of man. Let us never forget that the responsibilities imposed on this generation are by so much the greater than those which rested on our revolutionary ancestors, as the pop-

ulation, extent, and power of our country surpasses the dawning promise of its origin.

It would be a pleasing task to pursue many trains of thought, not wholly foreign to this occasion, but the temptation to enter the wide field must be vigorously curbed; yet I may be pardoned, perhaps, for one or two additional reflections:

The Senate is assembled for the last time in this Chamber. Henceforth it will be converted to other uses; yet it must remain forever connected with great events, and sacred to the memories of the departed orators and statesmen who here engaged in high debates and shaped the policy of their country.

Hereafter the American and the stranger, as they wander through the Capitol, will turn with instructive reverence to view the spot on which so many and great materials have accumulated for history. They will recall the images of the great and good, whose renown is the common property of the Union; and chiefly, perhaps, they will linger around the seats once occupied by the mighty three, whose names and fame associated in life, death has not been able to sever; illustrious men—in their generation sometimes divided, sometimes led and sometimes resisted public opinion—for they were of that higher class of statesmen who seek the right and follow their convictions. There sat Calhoun, the Senator inflexible, austere; oppressed, but not overwhelmed by his deep sense of the importance of his public functions; seeking the truth, then fearlessly following it—a man whose upsparing intellect

compelled all his emotions to harmonize with the deductions of his vigorous logic, and whose noble countenance habitually wore the expression of one engaged in the performance of high public duties.

This was Webster's seat. He, too, was even such a Senator. Conscious of his own vast powers, he reposed with confidence on himself; and, scorning the contrivances of smaller men, he stood among his peers all the greater for the simple dignity of his senatorial demeanor.

Type of his Northern home, he rises before the imagination in the grand and granite outline of his form and intellect, like a great New England rock repelling a New England wave. As a writer his productions will be cherished by statesmen and scholars while the English tongue is spoken. As a senatorial orator, his great efforts are historically associated with the Chamber, whose very air seems yet to vibrate beneath the strokes of his deep tones and his weighty words.

On the outer circle sat Henry Clay, with his impetuous and ardent nature, untamed by age, and exhibiting in the Senate the same vehement patriotism and passionate eloquence that of yore electrified the House of Representatives and the country.

His extraordinary personal endowments, his courage, all his noble qualities, invested him with an individuality and a character which in any age, would have made him a favorite of history. He loved his country above all earthly objects. He loved liberty in all countries. Illustrious man! Orator, patriot, philanthropist—his light at his

meridian was seen and felt in the remotest part of the civilized world. And his declining sun, as it hastened down the west, threw back its level beams, in hues of mellowed splendor, to illuminate and to cheer the land he loved and served so well.

All the States may point, with gratified pride, to the services in the Senate of their patriotic sons. Crowding the memory, comes the names of Adams, Hayne, Mason, Otis, Macon, Pinckney, and the rest—I cannot number them—who, in the record of their acts and utterances appeal to their successors to give the Union a destiny not unworthy of the past. What models were these to awaken emulation or to plunge in despair! Fortunate will be the American statesman who in this age, or succeeding times shall contribute to invest the new Hall to which we go, with historic memories like those which cluster here. And now, Senators, we leave this memorable Chamber bearing with us unimpaired, the Constitution we received from our forefathers. Let us cherish it with grateful acknowledgement to the Divine Power who controls the destinies of empires and whose goodness we adore.

The structures reared by men yield to the corroding tooth of time. These marble walls must molder into ruin, but the principles of constitutional liberty, guarded by wisdom and virtue, unlike material elements, do not decay. Let us devoutly trust that another Senate, in another age, shall bear to a new and larger Chamber, this Constitution, vigorous and inviolate; and that the

last generation of posterity shall witness the deliberations of the Representatives of American States still united, prosperous and free.

In execution of the order of the Senate, the body will now proceed to the new Chamber.

THE END.

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